

**PB# 80-6**

**Valley View Estates  
(Ken Campbell)**

VALLEY VIEW ESTATES 80-6  
former Ken Campbell

Planning Board



# GENERAL RECEIPT

1252

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

RECEIVED OF Kenneth Campbell (old Colone Industry) March 10 19 80  
Twenty-five and 00/100 \$ 25.00  
DOLLARS

FOR State Plan App. Fee # 70-6

DISTRIBUTION:

FUND	CODE	AMOUNT
25.00		
Cash		

BY Pauline H. Townsend cm  
Town Clerk

# GENERAL RECEIPT

4252

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555 Union Avenue  
New Windsor, N. Y. 12550

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TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

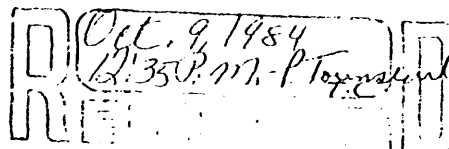
MADE IN U.S.A.

cc: *Att'y*

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

TO Pauline Townsend  
Town Clerk  
Town of New Windsor



TC  
JC

GREETINGS:

WE COMMAND YOU that all business and excuses being laid aside, you appear and attend before the GRAND INQUEST of the body of the people of the United States of America for the Southern District of New York, at a District Court to be held at Room 31 in the United States Courthouse, 101 East Post Road, White Plains, New York 10601 on the 16th day of October 19 84, at 10:00 in the fore noon, to testify and give evidence in regard to an alleged violation of

Title 18, United States Code, Section 1951

and not to depart the Court without leave thereof, or of the United States Attorney, and that you produce at the time and place aforesaid the following:

Any and all documents and records concerning or relating to The Commons at Windsor Subdivision, Ken Campbell Site Plan and/or Ken Campbell Enterprises, Inc. including, but not limited to, minutes, transcripts and/or tape recordings of all meetings and/or hearings held by the Town of New Windsor Planning Board, Town Board, Water Board and/or other public board or other authority; contracts; permits; applications; references; resolutions; correspondence; memoranda; voting records; engineering reports; surveys; and maps.

And for failure to attend and produce the said documents you will be deemed guilty of contempt of Court and liable to penalties of law.

Dated: White Plains, New York  
October 3, 1984

*Rudolph W. Giuliani*  
RUDOLPH W. GIULIANI

United States Attorney for the  
Southern District of New York.

*Raymond F. Burghardt*

Clerk.

NOTE: REPORT AT ROOM 24. In order to secure your witness fees and mileage, it is necessary that you retain this Subpoena and present the same at the United States Attorney's Office, Room 24, upon each day on which you attend Court as a witness.

*Howard E. Heiss*  
HOWARD E. HEISS  
Assistant United States Attorney  
Telephone: (914) 683-9579

Room 24  
101 East Post Road  
White Plains, New York 10601



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

October 9, 1984

Inter-office Memo

Supervisor Petro:  
Attorney for the Town:

Subject: Subpoena, United States District Court- Re: The Commons at Windsor

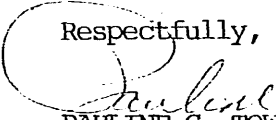
Gentlemen:

Please advise me exactly what documents and records will be needed to comply with the attached Subpoena.

Also, I request that there be either a representative from the Town Attorney's Office, or the Town Supervisor to accompany me.

PGT/jvw

Respectfully,

  
PAULINE G. TOWNSEND  
Town Clerk



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

October 16, 1984

SUBJECT: THE COMMONS AT WINDSOR

New Windsor Town Clerk, Pauline G. Townsend

Delivered to Howard E. Heiss, Assistant United States  
Attorney, 101 East Post Road, White Plains, New York,  
10601 the following reference to above subject matter:

Certified Copy of Town Board Minutes  
Certified Copy of Planning Board Minutes  
Building Inspector's Certified copies of Building Permits.  
Certified Sewer Agreement.  
Town Clerk's files of Planning Board procedures - 73-57;  
The Commons; The Commons Site Plan 74-6.

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Planning Board Folders: The Commons Site Plan 1982-1983;  
Kenneth Campbell 80-6  
Valley View Estates former Ken Campbell

Building Inspector's Folders - 7-11-84 (The Commons)  
Valley View Estates

Untitled Building Inspector's File.

Received:

Signed

Date:

10/16/84



Planning Board  
received 7/13/84  
PH

STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION

112 Dickson Street  
Newburgh, NY 12550

ALBERT E. DICKSON  
REGIONAL DIRECTOR

JAMES L. LAROCCA  
COMMISSIONER

July 11, 1984

Patrick Kennedy, Bldg. & Zoning Insp.  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550

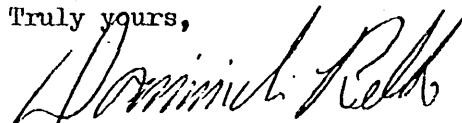
Re: Valley View Estates (Commons at  
Windsor) Rte. 32, T/New Windsor

Dear Pat:

With reference to my letter of June 20, 1983 concerning the issuance of the "Certificate of Occupancy" be advised, the Development Company has complied with the States requirements and Permit #884-0134 was issued to them.

Thank you for your cooperation.

Truly yours,

  
D. F. Fullam  
Resident Engineer

By: Dominick Bello  
Assnt. Res. Engr.

cc: A. Cappelli, Jr., Architect  
Rte. 52 & Lake Dr., Box 256  
Hopewell Junction, NY 12533

DDF/DB/dn

To: Mr. H. VanLeeuwe Chairman  
and  
Planning Board Members

Date: May 11, 1983

From: Paul V. Cuomo, P. E. *PVC*  
Town Engineer

Subject: Grading and Utilities Plan for the Commons

*attachment #1*  
*received*  
*P.B.*  
*5/11/83*  
*ph*

I have reviewed the Commons storm water redesign drainage computations dated September 9, 1982 for the storm water retention pond for the Commons.

These calculations use the rational method as the 1977 ones.

The new computations use a 50 year design storm water similar to the 1977 computations.

The total storm water volume required 136,944 ft.<sup>3</sup>

The total storm water volume provided 173,750 ft.<sup>3</sup>

Volume provided is 115.8% of volume required.

The June 15, 1977 drainage calculation

Storm water volume 163,896 ft.<sup>3</sup>

Storm water volume provided 177,900 ft.<sup>3</sup>

Volume provided is 108.5% of volume required.

The previous storm water (1977) system consisted of 6 ponds and the redesigned system consists of 5 ponds.

Ponds C D C are adjacent to Rt. 32 and D and C are larger than comparable ponds E and F. CDC 58,000 cu. ft. vs 46,500 cu. ft. for 1977's E and F.

There are some changes in the alignment to the storm water pipe which I concur. There are thirty nine catch basins which is less than the original 43, however the improved grading and pipe realignment allows this. Basically the drainage system retains 100% of the run off generated on site. The control structures will control the discharging rate and it will be less than it was when the site was undeveloped.

Over all it is my opinion that the changes are an improvement in the storm water design/

Sanitary sewer system:

The sanitary system has been revised to the west of the retention ponds D E in order to reduce inflow. Over all it is a improved design.

PVC/mfb

#6 on the Agenda:

Joseph Ruscitti Bond  
represented by Joseph Ruscitti

Chairman Van Leeuwen: Joseph Ruscitti is here this evening to present a Performance Bond.

Chairman Van Leeuwen read the contents of Bond to the Board.

Motion by Mr. Infante seconded by Mr. Reyns that the Planning Board send a letter to the Town Board recommending that the Performance Bond for the completion of improvements as specified in the New Windsor Town Code in Construction of Property be approved.

Roll call: all ayes, no nays (6 ayes 0 nays).

\*\*\*\*\*

#7 on the Agenda

McPhillip/Lumly Lot line change  
located on Caesars Lane  
represented by Mr. Sparacca

Mr. Sparacca: I represent Mr. McPhilip who owns an empty lot and Mr. Lumly who owns a lot with existing dwelling. Mr. McPhilip is moving. He wanted to sell the property. We did a survey. We discovered side walk of Lumly was on McPhilip property. Parties would like to change property line for they felt it was better for all parties.

Motion by Mr. Spignardo seconded by Mr. Schiefer that the Planning Board of the Town of New Windsor approve lot line change of McPhilip/Lumly located on Caesars Lane.

Roll call: All ayes no nays. (6 ayes, 0 nays.)

Mr. Sparacca: The deed line: when you approved Butter Hill, I took line from that. For the benefit of everyone, we gave the Town their property.

Mr. Spignardo: This must be filed in Goshen.

Mr. Sparacca: Thank you.

\*\*\*\*\*

#8 on the Agenda:

The Commons  
located on Route 32  
represented by Greg Shaw P.E.

Chairman Van Leeuwen: Do you plan to go to the ZBA with lot #13.

Mr. Shaw: Yes, approval minus lot 13.

Chairman Van Leeuwen: You can't get approval until you take care of #13.

Mr. Shaw asked the Board members to follow along with him in the letter dated 4/27/83.  
He said lot lines increased, revision to approved plan. Written application Modification..

Modifications consists of 13 items.

Chairman Van Leeuwen asked Mr. Shaw to go over item by item

Note: refer to letter from Shaw Engineering dated 4/27/83 written by Greg Shaw P.E. ((each Board member has a copy of same. Original letter will be filed with original set of minutes dated May 11, 1983 which is filed with the New Windsor Town Clerk's office. Copy on file in the Commons File.)

Mr. Shaw stated that there were 13 items.

Mr. Spignardo asked if all on new map and could Engineer verify this?

Mr. Cuomo: Yes, you have a memo tonight from me. Memo dated 5/11/83 and attached to minutes, as attachment #1.

Mr. Schiefer: If it improved, is it adequate?

Mr. Cuomo: Yes.

Mr. Shaw: I think the Board has to act on the modifications. Then we have a vehicle to go on.

Chairman Van Leeuwen: Until the drainage pond is completed we can not approve.

Mr. Spignardo: We can move to accept the modifications.

Chairman Van Leeuwen: I am not voting until the ponds are done.

Mr. Shaw: I don't believe Mr. Gordon has a problem on finishing pond. If that is what you want. We would like to have approval on just units under construction and release stop work order. I would like to introduce Mr. Marty Posner, the new Construction Manager from New Paltz.

Chairman Van Leeuwen: We agreed ponds be done before stop work order be lifted. We want to see ponds done. I have received 25 or 30 phone calls from people in the area. I am holding firm. Holding ponds in before.

Mr. Shaw: We express Mr. Gordons problem with money.

Mr. Spignardo: I would like to see acceptance of modifications.

Motion by Mr. Spignardo seconded by Mr. Infante that the Planning Board of the Town of New Windsor approve the 13 modifications as listed in letter received from Mr. Greg Shaw dated April 27, 1983 with existing stop order remaining in effect except as to Retention ponds D and E.

Roll call: Jones: no	Spignardo: yes
Infante: yes	Reyns: yes
Schiefer: yes	Van Leeuwen: no

4 ayes, 2 nays (four ayes, two nays) Motion carried.

Mr. Reyns: I met with the County Attorney and staff and Attorney Goldstein. The County Attorney was concerned. Mr. Goldstein said



this was a subdivision.  
County Attorney said subdivision must be noted on the map.

Marty Posner: We are coming aboard as Construction Managers.  
Marketing Arm/Development Arm.  
Quality will enhance the community as well as owner.  
This is a large investment for owner.  
We are fighting a few things, weather, cash flow.

Chairman Van Leeuwen: We have a problem. We have seen no variance on lot # 13.

Mr. Spignardo: If he doesn't get a variance he can't get a CO.

Mr. Schiefer: When are you going to start working on retention ponds?

Mr. Posner: We are trying to set up continuity. As far as retention ponds, we should be moving soon.

Chairman Van Leeuwen: What about contractors that were stuck along the way?

Are you going to use local contractors?

Mr. Posner: We are going to try using local builders.

Chairman Van Leeuwen: We were promised local people.

Mr. Shaw: As far as having map stamped 4/13/83 ..

Mr. Spignardo: It needs DOT approval.

Mr. Shaw: We would have to come back if they didn't approve.  
Thank you.

\*\*\*\*\*

Mr. Jones: in reference to Minuto on Route 207. Does he have to come in with a site plan?

Mr. Kennedy: Yes.  
He is dumping tires, trees, construction materials. They are dumping from the Smith property.  
He would like a motel.

#### Minutes

Motion by Mr. Reyns seconded by Mr. Infante that the Planning Board of the Town of New Windsor approve the minutes of April 27, 1983 as read.

Roll call: All ayes, no nays (6 ayes -0 nays) Motion carried  
Minutes approved.

\*\*\*\*\*

#### Adjournment

Motion by Mr. Jones seconded by Mr. Infante that the Planning Board of the Town of New Windsor adjourn the meeting of May 11, 1983.

Roll call: All ayes, no nays (6 ayes, 0 nays.) Meeting adjourned  
10:25 P.M.

Respectfully submitted,

*Shirley B. Hassdenteufel*  
SHIRLEY B. HASSENTEUFEL  
Recording Secretary



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

PLANNING BOARD  
received 2/15/83  
sh

February 17, 1983

Berger & Kramer  
225 Broadway  
New York, New York 10007

RE: The Commons At Windsor Homeowners Assoc.  
Libr. 2240 Pg. 1067

Gentlemen:

Please be advised, that the Assessors' office for the Town of New Windsor has been notified by the Orange County Tax Map Department that a probelm exists with the above mentioned deed.

Apparently, this transfer is in essence creating a 26 lot subdivision by the exceptions stated in the deed. In order create this subdivision, a copy of the filed subdivision map must be filed with the tax map department at the county seat.

Therefore, until this matter is resolved, I will continue to assess this parcel in its entirety. If you have any further questions regarding this procedure, please contact Mr. William Pillmeier, Tax Map Supervisor 124 Main Street Goshen New York.

Very truly yours,

A handwritten signature in cursive script that reads 'Paula Sarvis'.

PAULA SARVIS  
Assessor  
Town of New Windsor

cc: Town Attorney  
Planning Board  
Tax Map Dept.

...site in Common, Industry site, ...  
...yes, Spignardo yes,  
...obtain.

Mr. Cuomo: Would you like me to show you on the black board about the flood control.

Mr. Cuomo explained in detail flood control, and showed it on the blackboard.

Motion by Mr. Argenio seconded by Mr. Cimorelli that the Planning Board of the Town of New Windsor approve the site plan of "The Commons at Windsor" dated 11/12/73 and revised, subject to:

1. The acceptance of the Attorney General's Office, Department of Law, State of New York of the application of a Homeowner's Association to be filed under the Condominium Law of the State of New York.
2. Performance Bond in amount to be determined by the Town Engineer and Town Board to assure that flood control system is built as engineered, and other amenities under Section 48-19 (11) of the New Windsor Town Code, said bonds to be effective for a three (3) year period.
3. A statement in the prospectus to be filed in connection with paragraph "1" above stating that the homeowners association will maintain a care for the flood control/drainage system.
4. Agreements with the Town of New Windsor for sewer and water services.
5. Three (3) variable flow Wiers being shown on the map.
6. New York State Department of Transportation and Orange County approval.

Vote- Cimorelli-yes, Argenio-yes, Loscalzo-yes, Spignardo-yes, Jones-no, Van Leeuwen-yes. 5 yes, 1 no.

Motion carried.

*July 13, 1977*  
*Commons given until Jan 4, 1980*

**PREVIOUS  
DOCUMENT  
IN POOR  
ORIGINAL  
CONDITION**

#7 on the Agenda

Connelly (Ken Campbell Site Plan)

Chairman Spignardo stated that Mr. Campbell was here this evening to ask the Board if he could pay his recreation fee as he built the houses. When he gets a permit he would like then to pay his fee.

Motion by Mr. Infante seconded by Mr. Cimorelli that the Planning Board of the Town of New Windsor interpret the standard schedule of fees Local Law Section 19-3B6 - that the recreation fee for lots on units in excess of five(5) may be paid on lot by lot basis prior to the issuance of the Building Permit for each lot provided that the first Five (5) lots or units must be paid for by lump sum at the time of Planning Board approval.

Roll call: Jones:obstain                      Cimorelli:yes  
            Infante: yes                        Spignardo:yes  
            McCabe:yes  
            Schiefer:yes

Motion carried, 5 ayes 1 abstain.

Correspondence

Hearing no objections a letter from Rider, Drake, Weiner & Loeb, P.C. dated May 8, 1980 re: Plum Point property. Mr. Weiner requests a six (6) month extension from May 28, 1980.

Motion by Mr. Jones seconded by Mr. Cimorelli that the Planning Board of New Windsor approve a six (6) month extension to Plum Point Enterprise located on Route 9W in New Windsor from May 28, 1980.

Roll call: Jones:yes                              Schiefer:yes  
            Infante:yes                            Cimorelli:yes  
            McCabe:yes                            Spignardo:yes

Motion carried, 6 ayes, no nays.

Hearing no objections a copy of a letter to Mr. Frank Gibney from New Windsor Zoning Board re: change of Non-Conforming Use Walsh Ave. prop. and that the ZBA had granted the approval.

Minutes

Motion by Mr. Jones seconded by Mr. McCabe that the Planning Board of

September 8, 1982

page 4.

Motion carried 5 ayes, no nays.

Chairman Van Leeuwen: Mr. Cuomo will report back to the Board in two weeks.

#4 on the agenda:

Ken Campbell Site Plan  
located on Route 32 (Windsor Highway)  
represented by Mr. Ken Campbell

Chairman Van Leeuwen: At the last meeting we stated we would wait until this meeting for you to come in. You asked to come before the Board this evening.

Mr. Jones: He changed the plans.

Mr. Campbell: Besides lowering the density the only thing I did was sell the land. I want to sell land with each unit.

Atty. Crotty: He has not subdivided under the town. He has filed under the State for Condominium Plan which provides for each Town house under that section of State Law. It does not fall under our Town Subdivision Law. It falls under our site plan review. You did review the site plan.

Chairman Van Leeuwen asked that the old site plan and Mr. Campbell's new plan be placed on the board for review.

Mr. Spignardo: Are the houses under construction according to the plan?

Mr. Cuomo: : He is coming in for two things. Clarification of the following:  
1. The Fee Simple ownership by each person owning their own land.  
2. Site plan change.

Atty. Crotty: Shirley, has Mr. Campbell filed a copy of the Prospectus of the property?

Mrs. Hassdenteufel: Yes, he has.

Atty. Crotty: Highbred is covered by NYS Condominium Law which says by filing of a Prospectus with the Dept. of State which is no easy task. That falls under Condominium or homeowner Assoc. is recognized. The Planning Bd. approval is site plan approval, and unless it is in another zone where other kind of zoning is required. This project is in R5 so it does not require a special by the ZBA. Planning Bd. approval plus the Prospectus approval by the State is enough to deed out lots.

Chairman Van Leeuwen: That was never explained to us. We understood all the land was to belong to the Commons of New Windsor.

Mr. Campbell: The Association must approve everything.

Chairman Van Leeuwen: He needs our stamp on this plan. We never understood that the land under the house was owned by that homeowner. We never understood this.

Mr. Cuomo: We thought that too, but I found out that the land under house is owned by the people who own house.

Mr. Spignardo: If it were multiple dwellings it would be different.

Mr. Infante: Look at the cul-de-sac.

Mr. Campbell: The road is the same. Less houses. By the first retention you see three houses. There are now nine (9) less houses than you approved. Driveways will be put in by me.

Chairman Van Leeuwen: Who are the owners of the property?

Mr. Campbell: I am.

Mr. Jones: Who is Mr. Felixson?

Mr. Campbell: An associate of mine.

Mr. Jones: He built Robert Arms apartments on 9 W. He gives the orders down there?

Mr. Campbell: No he doesn't.

Mr. Jones: He comes along now and changes his plans.

Mr. Infante: The retention pond was to be in. We made a special motion for recreation fees. Roads and retention ponds were to be in. What would happen if there were four (4) days of rain.

Mr. Campbell: It should be done in a few weeks time. I have men working. The sewer is in. The holding ponds will be in by the end of the week. Come and see for yourself.

Chairman Van Leeuwen: Why don't we wait until he has his holding ponds in. We will all go down and see it for ourselves.

Mr. Scheible: Set the date.

Mr. Campbell: My engineer got State approval.

Chairman Van Leeuwen: When Connelly came in they were going to have the retention ponds in before building began. You are bound by the same agreement.

Mr. Campbell: We are up to 100 years. I am spending money to get retention ponds in.

Chairman Van Leeuwen: When will it be done.

Mr. Campbell: In one (1) week.  
I am looking for nine (9) less units.

Chairman Van Leeuwen: My suggestion is to go see it.

Motion by Mr. Jones seconded by Mr. Infante that the Planning Board of the Town of New Windsor not approve this site plan of Ken Campbell until we inspect the drainage.

Discussion on motion.

Atty. Crotty: You are going to see much more of this.

Mr. Spiguardo: We have an Engineer to check these things and report to us. I feel Engineer Cuomo should go to the site and review this, then come back with his findings.

Chairman Van Leeuwen: I suggested that the entire Board go down and look this over. We have a motion.

Motion by Mr. Jones seconded by Mr. Infante that the Planning Board of the Town of New Windsor not approve the site until the Board inspects the drainage.

Roll call: Jones:yes  
          Infante:yes  
          Scheible:yes  
                                Spiguardo:no  
                                Van Leeuwen:yes

4 ayes, 1 nay. Motion carried.

Chairman Van Leeuwen: I can go down with the Engineer if you would rather.

Mr. Infante: We will go with you as you originally requested.

Mr. Campbell: Don Bello checks this every week.

Mr. Jones: I suggest that Mr. Cuomo go with the Board.

Chairman Van Leeuwen: We had a public hearing on this. It was packed.

Mr. Jones: Where is the storm water held?

Mr. Campbell: On the site right now.

Mr. Jones: Where is it dispensed?

Mr. Campbell: As per map.

Chairman Van Leeuwen: Set up a meeting with Paul. Let him know when you can go.

Mr. Campbell: I need an updated map to file. I must file it. I need a stamped mylar. It was lost here. It was held by you I believe until I paid my recreation fees when getting my Building Permit. I paid these fees when I went to Mr. Collett for my permits. I paid fees on five. I will go with that plan. My changes can wait, I must have an approved mylar.

Mr. Cuomo: Mylar was stamped but held until fees were paid he said.

Chairman Van Leeuwen: We have no mylar.

Mr. Campbell: I can get one tomorrow.

Chairman Van Leeuwen: Bring it to me.

Atty. Crotty: Mylar must be signed as of today.

Mr. Cuomo: I check the site daily. I have interviewed his contractors. I have spent a lot of time on this. It is working. There will be double work now.

Mr. Campbell: The man is coming to do the roads the end of September or the beginning of October. The curbs will go in. Driveways will be put in by me.

Chairman Van Leeuwen: If you show us those retention ponds are in I don't think there is going to be any problem.



OFFICE OF THE PLANNING BOARD  
TOWN OF NEW WINDSOR

535 Union Avenue  
New Windsor, New York 12550  
(914) 505-8808

May 19, 1980

Mr. Kenneth Campbell  
239 Springtown Road  
New Paltz, New York 12561

Re: Site Plan for the Former Connolly  
Industries Property.

Dear Mr. Campbell:

As you have been informed, your site plan for 185 units of fee ownership with Homeowner Association for Common Areas has been approved.

The approval is for your project on Windsor Highway, Route 32, in the Town of New Windsor, New York.

The approval is subject to your submission to the Town Engineer and his approval of the final site plan maps for the project. A letter of approval from the Town Engineer must follow to confirm your site plan approval.

The approval is also subject to receipt and opportunity for comment by the Town Planning Board Attorney of your submission to the Attorney General of the State of New York. The approval of the Town Planning Board Attorney will be deemed granted within thirty (30) days of his receipt of your submission, unless he offers negative comment to the Attorney General within that period of time.

And finally, the approval is subject to payment of the following fees:

\$1,250.00 Recreation fee (initial installment of five units @\$250.00 per unit). The payment for each unit after the first five shall be paid on a unit by unit basis prior to receipt of a building permit from the Building Inspector. The per unit fee is \$250.00.

Mr. Kenneth Campbell

- Page 2 -

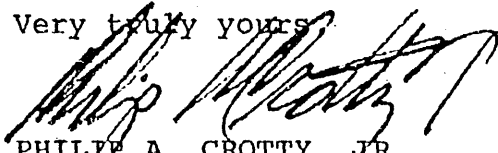
May 19, 1980

\$1,950.00 Site Plan Fee (\$100.00 plus \$10.00 per unit)

\$200.00 Engineering Fees

Please make the above payments by three separate checks each made payable to the Town of New Windsor.

Very truly yours,



PHILIP A. CROTTY, JR.  
Town Planning Board Attorney

PAC/jl

cc: Ernest G. Spignardo, Chairman  
Town of New Windsor Planning Board

Mr. Grevas: If everyone agrees to entrance I will submit to DOT tomorrow.

Mr. Scheible: It is a good size piece of property.

Mr. Grevas: Front yard is 100 ft., rear is 50 ft. Any addition would be prohibited.

Chairman Van Leeuwen: Did Paul see this yet?

Mr. Grevas: No, not yet.

Mr. Cuomo: I haven't seen it.

Chairman Van Leeuwen: Gentlemen, your pleasure.

Motion by Mr. Spignardo seconded by Mr. Scheible that the Planning Board of the Town of New Windsor send the plans of J & H Smith Site to the Planning Board Engineer for his review and comments, and that Mr. Grevas take the Plans with curb cuts to the DOT. A copy also to be sent to the Orange County Department of Public Works.

Roll call: All ayes, no nays. 7 ayes, 0 nays.

Mr. Grevas asked the Board if he might speak on another matter.

Chairman Van Leeuwen asked the Board and Board agreed to hear Mr. Grevas.

Joseph Ruscitti

Signing of a mylar.

Mr. Grevas: The mylar was lost and one must be filed.  
We need a stamped mylar.

Motion by Mr. Jones seconded by Mr. Infante that the Planning Board of the Town of New Windsor stamp the new mylar of Joseph Ruscitti after a notation is added to the plan.

Roll call: All ayes, no nays, 7 ayes, 0 nays, Motion approved to stamp mylar.

Mr. Schiefer asked to be excused from the meeting..  
#4 on the Agenda

Ken Campbell Site Plan

Route 32

represented by Mr. Kenneth Campbell

Chairman Van Leeuwen: Who are the owners of the property.

Mr. Campbell: Ken Campbell and Freida Gordon are the owners.  
Mr. Gelixson is not my partner.

Mr. Jones: He left a mess in this town.

Chairman Van Leeuwen: The retention ponds, they are deeper now.

Mr. Campbell: We made the ponds deeper to comply with the DOT.  
Drainage was increased. DOT wanted larger ponds.

Mr. Jones: The holding ponds will hold water all year round.

Mr. Cuomo: We worked on 50 year storm.

Mr. Jones: I am worried, will they create trouble down stream.

Mr. Campbell: No.

Mr. Infante: The third pond is not in yet, right?

Mr. Campbell: The third pond I am not putting in until the other is completed.

Mr. Campbell explained the holding pond.

Mr. Jones asked where the one further back was.

Mr. Campbell: There are none further back.

Mr. Reyns: When you look at the road coming down it looks as if it would pour over Route 32.

Mr. Campbell: It runs to curbs and into catch basins. There are catch basins at intervals.

Mr. Reyns: Do catch basins have bottoms?

Mr. Campbell: They are pre-cast.

Mr. Scheible: Which map are you using?

Mr. Campbell: I am using that map over there (pointing to the one he was using). They will be attached. It looks like single family. It will not be. We have eliminated nine (9) houses.

Mr. Jones: That map looks like Cluster.

Mr. Spignardo: You show a swimming pool.

Mr. Campbell: Yrs, in model area.

Mr. Scheible: The maps are different.

Chairman Van Leeuwen: He can't sell houses until he get approval.

Mr. Scheible: What about the cemetery? Is it there?

Mr. Campbell: It will be protected.

Mr. Scheible: What if it is on someones lot?

Mr. Campbell: We will eliminate another lot.

Mr. Scheible: Can you show it on the map?

Mr. Greg Shaw: Yes.

Chairman Van Leeuwen: Please check this out.

Mr. Infante: Paul, have you checked pipe line drainage?

Mr. Cuomo: Leslie Avenue by passes.

Mr. Infante: There is a 3 ft. bolder at the end of the pipe by the railroad tracks at the end of the line.

Mr. Cuomo: The drainage ends up in a 66 inch pipe.

Mr. Jones: Doesn't that line go through Margo Street?

Chairman Van Leeuwen: Daniher/Pine Street.

Mr. Shaw: That is quite a drainage area.

Chairman Van Leeuwen: Does anyone have any more questions?

Mr. Scheible: This map is approved. The other he wants approved. A lot of units are moved closer. You are moving lots closer to the property line. There are five close in that area. How many feet in that area?

Chairman Van Leeuwen : Designate on map.

Mr. Campbell: Yes.

Mr. Scheible: Maybe a stockade fence.

Chairman Van Leeuwen: He should show 15 ft.

Mr. Infante: Fifteen ft. (15ft.) is the minimum. One of the primary questions is - Board members requested ponds to be complete. Two models. On that premise I pushed parklands release. Now we have 7 or 8 homes up and the holding ponds have not been completed. We checked with the Building Inspector. Building permits and fees not paid. Then they were caught up.

Mr. Campbell: At that time I didnot get permits until an agreement with the Town about sewer was worked out.

Mr. Infante: I know we made a Gentlemens Agreement.

Mr. Campbell: The holding ponds are 90 percent finished. By the next meeting they should be completed.

Mr. Cuomo: The drainage is in.

Mr. Jones: There are a lot of concrete footings in. A condition in approval was ponds.

Mr. Infante: How many foundations without permit?

Mr. Jones: I understand we have to create a new item here. It will go in the Code Book. This is one of a kind.

Atty. Crotty: No, Site or Cluster.

Chairman Van Leeuwen: No land went with the house when this approval was given. All the land was commonly owned. Now he is selling a piece of property with the house.

Atty. Crotty: read from Town Code Book #4863 2nd paragraph (see attachment #1)

Mr. Jones: It is new to us. I would like to read the prospectus.

Chairman Van Leeuwen: Mr. Campbell, we made an agreement with you. You were to pay for your Building Permits.

Mr. Kennedy, has he taken care of this?

Mr. Kennedy: He has a total of twelve houses. He has permits for 4.

Chairman Van Leeuwen: Please get them up to date. Mark distance on all outside lots. Check the property for cemeteries.

Pat, would you inspect what he has done and let us know.

Mr. Spignardo: Can he start phase #2 before 1.

Chairman Van Leeuwen: No.

Mr. Scheible: Once this project is completed is there a time limit before they petition the Town for services?

Mr. Campbell: No not according to rules of Attorney General.

Chairman Van Leeuwen: Any questions?

Mr. Cuomo: What time will the maps be presented?

Chairman Van Leeuwen: Present maps at next meeting, then a workshop and then we act on it.

Mr. Kennedy: Can we give permits on what he is doing? Twelve (12) foundations?

Mr. Jones: No.

Mr. Campbell: Until I go to convey that property I have final approval on (pointing to map).

Mr. Jones: He can't put more houses until retention basin is in.

Chairman Van Leeuwen: Will you cease putting up foundations?

Mr. Campbell: At the last meeting you approved that site.

Chairman Van Leeuwen: Let's get ponds in, fees paid and show cemeteries. We will have a workshop and by the end of January we will let you know. We will see you at the next meeting, January 12th.

#5 on the agenda:

BALMVILLE ESTATES (Harold Adams) 82-22  
Route 32  
Richard Adams

Mr. Adams: I am here for my father asking for the approval for a lot line change that he had been in earlier for. My father is away now and he called and asked if I would take care of this.

No. ....

PLANNING BOARD

received  
2/25/83

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

STOP ORDER

All work contemplated to be done under Building Permit No. *All Permits* shall be forthwith suspended and all persons shall stop work thereon until this STOP ORDER has been rescinded.

This Order will be rescinded upon the following conditions:

*All properties presently deeded out to be deeded back to the owner and a Title report presented to assure properties were deeded back. Subdivision Plans are completed with Final Approval by the Town of New Windsor and said Plans filed with the Orange County Clerk. All approval fees paid in full. All Retention ponds completed.*

Dated: *February 10*, 19*83*

*Patrick J. Kennedy*  
Building Inspector

STOP ORDER RESCINDED

Dated: ....., 19.....

.....  
Building Inspector



91 green street • huntington • long island, n.y. 11743 516-549-4744

**land design associates**  
landscape architects • land planners

*received*  
*Planning Bd.*  
*9/15/82 ch.*

September 9, 1982

Mr. Donald Fullam  
Resident Engineer  
NYS Dept. of Transportation  
112 Dickson Street  
Newburgh, N. y. 12550

ATTN: Dominick Bello

RE: Commons at New Windsor  
Route 32, Town of New Windsor  
Orange County

Dear Dominick,

With respect to the above project, our meeting of last May and your subsequent letter of June 15, 1981; enclosed is the information you requested relative to the proposed drainage control system.

As a word of explanation,, the system as designed was conceived based upon an actual method of flood control. This approach was decided upon after numerous consultations with Paul Cuomo, Town of Windsor Engineer and the desire of the client to impact in the least possible manner a potential fragile downstream situation.

Consequently, the drainage system consists of a series of retention areas providing storage based upon a 50 year storm, interconnected and providing positive overflow relief which ultimately discharges into the Route 32 storm system. It should be noted that over one hundred percent of the runoff generated on site is retained on site and although the overall runoff generated upon the completion of the project is greater than that presently generated, the discharge rate shall be considerably less due to the proper control of such volumes.

As a further point of clarification, we have revised the previously submitted " Drainage Calculations " based upon revisions of 3/25/77 and 6/14/77 dated June 15, 1977 to reflect the final " Site Plan " prepared in October 1980 and revised July 8, 1981, May 19, 1981 and July 20, 1982. A copy of which is enclosed for your records.

ROBERT MANNIELLO  
COLE HAYES

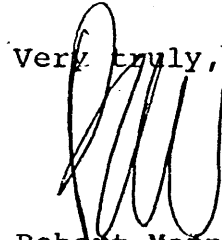
WILLIAM JOHNSON, ASSOCIATE



We trust thes calculations and the included additional information now satisfies the requirements of your department . If we can provide any further data or information please feel free to contact me. Hopefully this project will finally receive the necessary approvals and construction can commence.

Thank you for your past an anticipated future cooperation.

Very truly,



Robert Manniello  
Land Design Associates

RM/ja

Encl.

cc /Ken Campbell  
Paul Cuomo P.E.  
Town of New Windsor Planning Board

July 20, 1982

THE COMMONS AT WINDSOR  
ROUTE 32, TOWN OF NEW WINDSOR, ORANGE COUNTY  
KEN CAMPBELL ENTERPRISES.

DRAINAGE CALCULATIONS ( based upon Site Plan  
dated Oct. 1980 and  
revised July 1981,  
May 1982 and July 1982 )

- (1) AREAS ( Total ) . . . . . 24.007 ac.
- |                     |           |         |
|---------------------|-----------|---------|
| Buildings . . . . . | 3.61 ac.  | (15. %) |
| Pavements . . . . . | 3.56 ac.  | (15. %) |
| "Green" . . . . .   | 16.83 ac. | (70. %) |
- (2) Area of land to S.W. of site contribute 6.1± acres to watershed.

CRITERIA

Each of 5 contributing areas are individually calculated in order to compute capacity of each storage area. The overall concept of " Natural Drainage " ( the collection of runoff as close as possible to its point of impact ) is employed in order to minimize velocities and eliminate potential flood impact.

The " Rational Method " of storm water runoff is utilized to calculate flows and subsequent volumes.

$$Q = ACI$$

Q = Runoff or peak discharge of a watershed area in cubic feet per second due to maximum storm assumed.

A = Area of a specific watershed area in acres.

C = Coefficient of runoff - a measure of loss due to infiltration.

I = Intensity of rainfall in inches per hour based upon the concentration time - ( time required for rain falling at the most remote point to reach a discharge point ), and the frequency of the storm ( which is a factor of design based upon replacement cost and loss of life ).

I. CONTRIBUTION AREA A & B

$$\text{Buildings} - 0.54 \text{ ac} \times 1.0 = 0.54$$

$$\text{Pavements} - 0.47 \text{ ac} \times .9 = 0.42$$

$$\text{Vegetated} -$$

$$1.51 \text{ ac off site}$$

$$2.84 \text{ ac on site}$$

$$\underline{4.35}$$

$$- 4.35 \text{ ac} \times .25 = \underline{1.09}$$

$$2.05 \times (50 \text{ yr storm}) 3.00 = 6.1$$

$$6.15 \text{ cu ft / sec} \times (3600) = \underline{22,140 \text{ cu ft storage required.}}$$

Storage provided

$$\text{Area A} = 2,500 \text{ sf at } 3' \text{ effective depth} = 7,500 \text{ cu ft}$$

$$\text{Area B} = 7,650 \text{ sf at } 2' \text{ effective depth} = \underline{15,300 \text{ cu ft}}$$

$$\underline{\underline{22,800 \text{ cu ft}}}$$

II. CONTRIBUTION AREA C

$$\text{Buildings} - 1.77 \text{ ac} \times 1.0 = 1.77$$

$$\text{Pavements} - 1.57 \text{ ac} \times .9 = 1.42$$

$$\text{Vegetated} -$$

$$3.00 \text{ ac off site}$$

$$6.47 \text{ ac on site}$$

$$\underline{9.47 \text{ ac}}$$

$$- 9.47 \text{ ac} \times .25 = \underline{2.37}$$

$$5.56 \times (50 \text{ yr storm}) 3.00 = 16.$$

$$16.68 \text{ cu ft / sec} \times (3,600) = \underline{60,048 \text{ cu ft storage required}}$$

Storage provided

$$16,900 \text{ sf at } 5.5 \text{ ft effective depth} = \underline{\underline{92,950 \text{ cu ft}}}$$

III. CONTRIBUTION AREA D

Buildings - 1.10 ac x 1.0 = 1.10

Pavements - 1.36 ac x .9 = 1.22

Vegetated -

1.49 ac off site

6.17 ac on site

7.66- 7.66 ac x .25 = 1.92

4.24 x (50 yr storm) 3.00 = 12.72

12.72 cu ft / sec x (3,600) = 45,792 cu ft storage requiredStorage provided10,550 sf at 4.5 ft effective depth = 47,500 cu ftDRAINAGE CALCULATIONS con'tIV. CONTRIBUTION AREA E

Buildings - 0.32 ac x 1.0 = 0.32

Pavements - 0.16 ac x 0.9 = 0.14

Vegetated - 1.48 ac x 0.25 = 0.37

0.83 x (50 yr storm) 3.00 = 2.49

2.49 cu ft / sec x (3,600) = 8,964 cu ft storage requiredStorage provided5,250 sf at 2. ft effective depth = 10,500 cu ftTOTALSTotal area required

I. 22,140 cu ft

II. 60,048 cu ft

III. 45,792 cu ft

IV. 8,964 cu ft

136.944 cu ft

Total area provided

I. 22,800 cu ft

II. 92,950 cu ft

III. 47,500 cu ft

IV. 10,500 cu ft

173.750 cu ft

The above calculations indicate storage areas required and those areas actually provided. The accompanying Site Plan indicates bottom and overflow elevations of each of the five retention ponds as well as their square footage dimensions. A breakdown of these computations are as follows:

## Retention Area " A "

Bottom Elevation . . . .	334.0 '
Overflow Elevation . . . .	<u>337.0 '</u>
Effective Depth . . . .	3.0 '

Square footage of area 2,500 sq ft.

$$2,500' \times 3.0 = 7,500 \text{ cu ft.}$$

## Retention Area " B "

Bottom Elevation . . . .	314.5 '
Overflow Elevation . . . .	<u>316.5 '</u>
Effective Depth . . . .	2.0 '

Square footage of area 7,650 sq ft.

$$7,650' \times 2.0 = 15,300 \text{ cu ft.}$$

## Retention Area " C "

Bottom Elevation . . . .	277.5 '
Overflow Elevation . . . .	<u>283.0 '</u>
Effective Depth . . . .	5.5 '

Square footage of area 16,900 sq ft.

$$16,900' \times 5.5 = 92,950 \text{ cu ft.}$$

## Retention Area " D "

Bottom Elevation . . . .	271.5 '
Overflow Elevation . . . .	<u>276.0 '</u>
Effective Depth . . . .	4.5 '

Square footage of area 10,550 sq ft.

$$10,550' \times 4.5 = 47,500 \text{ cu ft.}$$

## Retention Area " E "

Bottom Elevation . . . . 272.0 '  
Overflow Elevation . . . . 274.0 '  
Effective Depth . . . . 2.0 '

Square Footage of area 5,250 sq ft.

5,250 ' x 2.0 = 10,500 cu ft.

## Existing Runoff discharging into Route 32 drainage system:

6 ac off site  
24 ac on site  
30 ac at .25 (coef) = 7.5 x 3.00 (50 yr storm) = 22.5 cu  
22.5 x 3,600 = 81,000 cu ft.

The discharge rate from each of the storage ponds C, D, and E into 18 " culverts crossing Route 32 is as follows:

18" pipe at 5.0% slope = 19 cfs \*

\* Seelye's page 18-66 " Pipe Capacities - 1 "

Also enclosed please find 4 sets of prints indicating the geometric design of the access, curbs, drive widths, radii and pavement sections of the proposed improvements connecting to Route 32. We would be most interested in any comments you might have relative to this aspect of the project.

NEW WINDSOR PLANNING BOARD MEETING  
TOWN HALL  
WEDNESDAY, JANUARY 12, 1983 7:30 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN HENRY VAN LEEUWEN, LAWRENCE JONES,  
ERNEST SPIGNARDO, PHILIP INFANTE, CARL SCHIEFER,  
HENRY REYNS AND HENRY SCHEIBLE.

OTHERS PRESENT: ANDREW KRIEGER, PLANNING BOARD ATTORNEY  
PAUL V. CUOMO, PLANNING BOARD ENGINEER  
PATRICK T. KENNEDY, BUILDING & ZONING INSPECTOR  
SHIRLEY B. HASSDEUFEL, SECRETARY

tap 266

Chairman Van Leeuwen called the meeting to order promptly at 7:30 p.m.  
and presided over same.

Chairman Van Leeuwen announced there would be a brief time for re-organization  
of the Boards officers.

Chairman Van Leeuwen asked for nominations from the Board for the office of  
Chairman. for the year 1983.

Motion by Mr. Jones seconded by Mr. Schiefer to elect Henry Van  
Leeuwen as Chairman of the Board.

Roll call: Jones: aye                      Scheible: aye  
              Infante: aye                 Reyns: aye  
              Schiefer: aye               Van Leeuwen: abstain  
              Spignardo: aye

Motion by Mr. Infante seconded by Mr. Schiefer to close the nominations  
for the office of Chairman for the Planning Board.

Roll call 6 ayes, 1 abstain (Mr. Van Leeuwen)  
Motion by Mr. Jones seconded by Mr. Schiefer to elect Henry Van Leeuwen  
Chairman for the 1983 term.

Roll call: Jones: aye                      Scheible:                Van Leeuwen: abstain  
              Infante: aye               Reyns: aye  
              Schiefer: aye  
              Spignardo: aye

Motion carried. 6 ayes, no nays, 1 abstain.

Mr. Henry Van Leeuwen: Chairman

Mr. Van Leeuwen thanked the Board.

Chairman Van Leeuwen: Nominations for the office of Vice-Chairman.

Motion by Mr. Schiefer seconded by Mr. Jones to elect Henry Reyns for the  
office of Vice-Chairman.

Roll call: Jones: aye                      Scheible: aye  
              Infante: aye               Reyns: abstain  
              Schiefer: aye  
              Spignardo: aye               Van Leeuwen: aye

Motion carried, 6 ayes, 0 nays, 1 abstain.

Motion by Mr. Scheible seconded by Mr. Jones that the nominations for the  
office of Vice-Chairman be closed.

Roll call: Jones:aye                      Scheible: aye  
              Infante:aye                    Reynolds:obtain  
              Schiefer:aye  
              Spignardo:aye                Van Leeuwen:aye

Motion carried 6 ayes, 0 nays, 1 obtain.

Motion by Mr. Schiefer seconded by Mr. Jones to elect Mr. Henry Reynolds Vice-Chairman.

Roll call: Jones:aye                      Scheible:aye  
              Infante: aye                    Reynolds: obtain  
              Schiefer: aye  
              Spignardo:aye                Van Leeuwen: aye

Motion carried, 6 ayes, 0 nays, 1 obtain.

Mr. Henry Reynolds - Vice-Chairman.

Mr. Reynolds thanked the Board

Chairman Van Leeuwen: Nominations for the office of Secretary.

Motion by Mr. Schiefer seconded by Mr. Spignardo to elect Mr. Henry Scheible for the office of Secretary.

Roll call: Jones:aye                      Scheible:obtain  
              Infante:aye                    Reynolds:aye  
              Schiefer:aye                    Van Leeuwen:aye  
              Spignardo:aye

Motion carried - 6 ayes, 0 nays, 1 obtain.

Motion by Mr. Jones seconded by Mr. Spignardo that the nominations be closed for the office of Secretary.

Roll call: Jones: aye                      Scheible:obtain  
              Infante:aye                    Reynolds:aye  
              Schiefer:aye                    Van Leeuwen:aye  
              Spignardo: aye

Motion carried, 6 ayes, 0 nays, 1 obtain

Motion by Mr. Schiefer seconded by Mr. Spignardo to elect Mr. Henry Scheible to the office of Secretary to the Planning Board.

Roll call: Jones: aye                      Scheible: obtain  
              Infante:aye                    Reynolds: aye  
              Schiefer:aye                    Van Leeuwen: aye.  
              Spignardo: aye

Motion carried, 6 ayes, 0 nays, 1 obtain.

Mr. Henry Scheible Secretary

Mr. Scheible thanked the Board.

Chairman Van Leeuwen: The Planning Board Attorney.

Motion by Mr. Spignardo seconded by Mr. Jones that the Planning Board of the Town of New Windsor hire Mr. Andrew Krieger for the Attorney for



the Planning Board.

Roll call: Jones: aye                      Scheible: aye  
             Infante: aye                     Reyns: aye  
             Schiefer: aye                   Van Leeuwen: aye  
             Spignardo: aye

Motion carried, 7 ayes, 0 nays. (7 ayes, 0 nays. )

Chairman Van Leeuwen: ~~Appointment~~ for the position of Recording Secretary.

Motion by Mr. Spignardo seconded by Mr. Infante that the Planning Board appoint Shirley B. Hassdenteufel ~~for the~~ position of recording secretary.

Roll call: Jones: aye                      Scheible: aye  
             Infante: aye                     Reyns: aye  
             Schiefer: aye                   Van Leeuwen: aye  
             Spignardo: aye

Motion carried 7 ayes, 0 nays, (7 ayes-0 nays.)

Mr. Krieger and Mrs. Hassdenteufel thanked the Board.

Chairman Van Leeuwen introduced the members of the Board to the audience. Also Mr. Krieger the new attorney to the audience.

Chairman Van Leeuwen: Number one on the agenda this evening.

#1 on the agenda:            J. & H. Smith Site #82-32  
                                 Route 207, Route 300 and Freedom Road  
                                 represented by Mr. Elias Grevas

Mr. Grevas: There will be 10,000 ft. - assembling plant and 2100 ft, sq. office.

The larger sign will be on Freedom Road and the small sign on Route 207. Parking will be on the Route 207 side. The entrance will be on Route 207. There is a culvert that crosses Freedom Road.

There is Town water and sewer.

I am waiting to hear from the Department of Transportation. I talked to Dom Bello and he sees no problem. There should be no objections.

Mr. Infante: What are existing boulders seen on plans?

Mr. Grevas: They are shown so builder will see them.

Chairman Van Leeuwen: Will they be removed?

Mr. Grevas: Yes.

Mr. Infante: Were there existing monuments?

Mr. Grevas: A couple and there were a couple broken off. The rest of them we staked in with iron pipes.

Mr. Reyns pointing to this entrance,, asked Is this entrance near island?  
~~How far is it where 207 goes in there?~~

Mr. Grevas: It is right in this area. It is two lanes. This is one. There is no traffic turning left. Again it would be up to the State.

January 12, 1983

page 4.

Chairman Van Leeuwen: Mr. Kennedy, have you checked this out?

Mr. Kennedy: Yes, I did walk the site.

Chairman Van Leeuwen: Mr. Cuomo?

Mr. Cuomo: They are waiting only for State approval, about the curb cut. We studied approaches today.

Chairman Van Leeuwen: That is correct.

Mr. Cuomo: I have reviewed the site and find it acceptable.

Motion by AMr. Spignardo seconded by Mr. Reyns that the Planning Board of the Town of New Windsor approve the site plan of J & H Smith #82-32 located on Route 207, Route 300 & Freedom Road subject to Department of Transportation approval.

Roll call: all ayes, no nays (7 ayes, 0 nays.)

Note: When maps are signed the final fee of \$75.00 will be paid. \$25.00 paid with application.

Mr. Grevas presented the Board at this time the last of the complete package of Zoning changes. He stated that the Zoning Board and the Town Board also had received same. The Town Board will now set a Public Hearing.

#2 on the Agenda: Sy Cohen 2 Lot subdivision  
located on Union Avenue (across from Temple Hill School)

Cancelled until January 26, 1983.

#3 on the Agenda: Ken Campbell Site Plan 80-6  
located on Route 32  
represented by Mr. Ken Campbell

Mr. Campbell pointed to the spot on the site plan where the grave site is.

Chairman Van Leeuwen: used a pointer when Mr. Campbell showed where house sites were.

Mr. Kennedy was asked to show where 12 houses and 1 pool were.

Chairman Van Leeuwen asked Mr. Kennedy if everything was up to date with permits.

Mr. Kennedy: Yes.

Mr. Campbell showed a problem he has on site. Mr. Campbell's Engineer used 12 ft. instead of 15 ft. from the line. It will be 15 ft. Mr. Surveyor located the grave site. It is on lot 110. He removed house from that lot. Whether it is a monument or a gravesite.

Mr. Jones: Who located it? When?

Mr. Campbell: My surveyor. He located it Monday.

Mr. Jones: He located it?

He removed house from that lot.  
Upper left corner shows note.

Mr. Jones: These plans are not stamped by the surveyor.

Mr. Campbell: Yes, I know. It has to be changed anyways

Chairman Van Leeuwen: It has to be changed anyway Tippy.

Mr. Campbell: Pat, you said that you walked this area and found nothing.

Mr. Kennedy: Nothing.

Mr. Campbell: I walked this area Monday and found nothing in this area. (Pointing)  
In this area there was a cistern.

Mr. Spignardo: What is the status of your holding ponds?

Mr. Campbell: Still the same as the last meeting. Nothing has been done because of the holidays.

Chairman Van Leeuwen: How deep are the retention ponds?

Mr. Campbell: About 9 ft. deepest. This one  $4\frac{1}{2}$  ft. when it gets finished. This is going to be completely surrounded with chain link fence and planting. We have to plant for pollution and noise control.

Mr. Infante: DOT told you to dig these deeper after we approved a shallow pond.

Mr. Campbell: That is correct. These are much bigger. If you look at the old plan they are much much bigger. My plan was subject to DOT approval.

Mr. Infante: Little by little this plan is getting carried away.

Mr. Spignardo: There is something here that I think we should have an entire plan. A cross section.

Chairman Van Leeuwen: We need your mylar. We can lay it out over the new plan and compare. We have a map of the existing one.

Mr. Campbell: Cross sections I have in my office.

Mr. Scheible: What kind of fence are you putting around the swimming area. I don't see any fencing around the swimming area.

Mr. Campbell: I have submitted to the Building Inspector complete plans of the swimming club which includes the pool, cabanna and the fencing and or the concrete.

Mr. Scheible: How high a fence would have to be around there Paul?

Mr. Cuomo: Four ft. chain. This will be reviewed by Orange Co. Health Dept.

Mr. Scheible: What is the rule in the Town of New Windsor for a full swimming pool.

Mr. Cuomo: Five ft.

Mr. Scheible: So a five ft. fence around this retention pond would be more sufficient.

Mr. Scheible: Why should this only have a four fence when everything else has to have five ft. Now you are going quite deep.

Mr. Infante: A six foot stockade just south of the retention pond was not on there and now it is.

Mr. Campbell: He is showing a six ft. stockade fence and I don't know where it came from.

Chairman Van Leeuwen: What kind of a screening is going to be winding up along here? Along Epiphany Colleg ground.

Mr. Campbell: Just natural.

Chairman Van Leeuwen: Pat, You inspected the grave site?

Mr. Kennedy: It does not look like something workmen would have done. They wouldn't have wedged it and put a rock in. It looks like children tampered.

Mr. Jones: What are you going to do with that grave site?

Mr. Campbell: It has its own lot now.

Mr. Jones: Is it going to be a cleared lot? Is it going to be filled up with brush?

Mr. Campbell: The trees around it will stay there. There is some stumps and brush and that will be cleared out. It has to be cleaned up. The rest will remain wild.

Chairman Van Leeuwen: How many feet from the corner of this house (pointing) to the closest corner?

Mr. Campbell: I don't know. I have no idea.

Mr. Infante: Is there access into it now? Is there a driveway?

Mr. Campbell: The proposed cul-de-sac is not built yet. The surveyor found it. It is straight across here (pointing). You can identify that large house.

Mr. Spignardo: Mr. Campbell, the entire area surrounding the homes is going to be maintained by common association.

Mr. Campbell: By the Association, yes.

Mr. Spignardo: Instead of leaving as wilderness, couldn't it taken care of by the Association.

Mr. Campbell: It has to be maintained by the Association. I am trying to leave as much as natural as can be. There will be no wild brush. That will remain and be maintained by the Association.

Mr. Jones: I read in the Newspaper this evening and it states that the woman is not buried there.

Mr. Spignardo: We have no proof. We are not going to be digging up around.

Atty..Krieger:It is a private cemetery. A private grave site. This grave site can not be disturbed. It must be left the way it is. Legally speaking there is an easement that is owned by the heirs of whoever this woman is. Without a court order he must leave as is. There is a minimum requirement of what he must maintain. I don't believe he must keep this like Forrest Lawn. There aren't to many of these. My own opinion is if he cleans this up and meets minimal upkeep. It has its own lot and will be undisturbed.

Mr. Spignardo: As the Planning Board we can require certain care. As the Planning Board apply certain conditions. It deserves care.

Atty. Krieger: There should be no special obligations to the private p owners do any more than that. As long as it remains untouched and undisturbed.

Mr. Campbell: I take it from your interperatation here, I take it that I am obligated. I want to be able to fill that hole. Take the stone out from the headstone. I don't know if I am allowed to. I want to preserve it. I don't want to violate the law.

Atty. Krieger: As far as repairing the site. If there is a hole and it will look better, it becomes reasonable. Be guidded by Rules of Reason and Decency.

Mr. Spignardo: This goes back to the last meeting. You have to have a completed map with boundary, fencing, mylar, cross section.

Chairman Van Leeuwen: When can you get us the mylar?

Mr. Campbell: When is your next meeting?

Chairman Van Leeuwen: January 26th.

Mr. Infante: He is under the assumption that all we need is a mylar and we will put a stamp on it.

Chairman Van Leeuwen: No, we are taking one this at a time.

Mr. Infante: Allright.

Chairman Van Leeuwen: One thing is the fencing.

Motion by Mr. Spignardo seconded by Mr. Scheible that the Planning Board of the Town of New Windsor require a five (5Ft.) foot fence for the retension ponds for the Ken Campbell Site Plan #80-6.

Roll call: Jones: ayes	Spignardo: aye
Infante: obstain	Scheible: aye
Schiefer: aye	Reyns: aye
	Van Leeuwen: aye

Motion carried, six ayes, no nays, 1 obstain.

Chairman Van Leeuwen: We want to give guidance. What about stockade fencing on Route 32? Do we want planting?

Mr. Jones: We don't want Fort Apache on Windsor Highway.

Mr. Scheible: I am in favor of planting.

Chairman Van Leeuwen: Can I have a motion?

How high do you want the planting? Three ft, four ft.?

Mr. Scheible: What kind of planting?

Chairman Van Leeuwen: Paul?

Mr. Cuomo: You could put a line of trees five ft. high on four ft. centers.

Chairman Van Leeuwen: Five foot trees on four foot centers.

Mr. Campbell: There will be another retention pond going in.  
In the next phase.

Chairman Van Leeuwen: Why isn't it shown on here?

Mr. Campbell: It should have been shown on the one from the last meeting.

Chairman Van Leeuwen: Will you be ready for our next meeting?? It is the  
26th of January.

Mr. Campbell: Yes.

Mr. Spignardo: Don't forget 15 ft. from the line.

\*\*\*\*\*

Chairman Van Leeuwen and the Board members went over the changes and revisions  
of McGoey, Hauser and Grevas.

\*\*\*\*\*

Mr. Spignardo: Mr. Chairman perhaps you should inform the Board that  
you and I are on the Committee for the widening of Route 32 with the  
Department of Transportation.  
Discussion.

\*\*\*\*\*

Minutes

Before approving minutes of December 22, 1982 the secretary was requested  
to go over tape #265 with reference to a possible omission in minutes,  
as requested by Mr. Scheible. Hearing no objections, so ordered.

\*\*\*\*\*

Discussion re: fees - Campbell property.

\*\*\*\*\*

Chairman Van Leeuwen: If there is no further business to come before the  
Board this evening I will entertain a motion to adjourn.

Motion by Mr. Schiefer seconded by Mr. Scheible that the Planning Board of  
the Town of New Windsor adjourn the meeting of January 12, 1983.

Roll call: All ayes, (7 ayes, 0 nays.) Meeting adjourned 9:40 p.m.

Respectfully submitted,

*Shirley B. Hassdenteufel*  
SHIRLEY B. HASSDENTEUFEL  
Recording Secretary

NEW WINDSOR PLANNING BOARD MEETING  
TOWN HALL  
WEDNESDAY, DECEMBER 1, 1982 7:30 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN HENRY VAN LEEUWEN, LAWRENCE JONES,  
ERNEST SPIGNARDO, PHILIP INFANTE, CARL  
SCHIEFER, HENRY REYNS AND HENRY SCHEIBLE.

OTHERS PRESENT: PAUL V. CUOMO, PLANNING BOARD ENGINEER  
PATRICK KENNEDY, BUILDING & ZONING INSPECTOR  
SHIRLEY B. HASSDENTEUFEL, SECRETARY  
ELIAS GREVAS, MCGOEY, HAUSER, & GREVAS

Chairman Van Leeuwen called the meeting to order and presided over same.

Chairman Van Leeuwen thanked the Board members for coming to an extra meeting that he stated would be a short one.

Chairman Van Leeuwen stated that they would have a discussion in regard to Game Rooms.

Mr. Jones: In the new issue of the New York State Planning News there is an article in regard to Game Rooms.

Mr. Grevas: How do you feel about investigation by the Chief of Police with Game Rooms?

Discussion.

Mr. Infante: I would like the right set of rules for this.

Mr. Grevas: Class 1  
Game Room Locations

1. Class One licenses may be issued for premises classified either "Neighborhood Commercial" or "Design Shopping" under the Zoning Ordinance.
2. Class Two licenses may be issued for premises classified under the Zoning Ordinance as "Design Shopping."

Class One premises are those where the game room is accessory to a hotel or motel having at least fifty (50) guest rooms; a bowling alley having at least fifteen (15) alleys; or an amusement park?

Mr. Infante: Why 50 rooms.

Discussion.

Chairman Van Leeuwen: Strike out size of motel, hotel, or Bowling alley.

Mr. Grevas: Does everyone agree?

Board agreed.

Mr. Infante: Games of chance are for money.

Mr. Spignardo: What do you object to?

Mr. Infante: Investigations.

Mr. Grevas: He is objecting to investigations.

Chairman Van Leeuwen polled the Board.  
Board agreed to leave in.

Mr. Grevas: Except as provided in New York Correction Law, Article 23-A, no game room license shall be issued to or held by any person who has been convicted of a crime or by any corporation, partnership or association, a member, officer, director or holder of ten percent (10) or more of the stock of which has been convicted of any crime.

Review and approval of application; issuance of license; hearing. After review of the application has been completed, the Town Clerk shall forward it, with his report and recommendations of the Town Building and Zoning Inspector and Chief of Police, if any, to the Town Board for its review and approval.

Schedule Hearing by the Town Clerk for the first Town Board meeting for which 5 days notice published in the official newspaper can be given if the Town Board denies the application or approves it with limits or conditions not satisfactory to the applicant.

Set the age.

Owner or operator - age 21.

Penalties.

Mr. Infante: Fees should be charged to small stores also. Put a fee in. Fee might have to be adjusted.

Mr. Grevas: A permit for even one.

Chairman Van Leeuwen: polled the Board.  
Board agreed.

Mr. Grevas: Route 94. New Zone. Professional Office.  
Permitted Use.

Mr. Infante: What about signs? What about the one Hank mentioned?  
A specific sign.

Mr. Grevas: Set the size.

Mr. Jones: It shouldn't interfere with the sight.

Mr. Grevas: The Commons.

Chairman Van Leeuwen asked the secretary to read a letter from Town Attorney Seaman. Attachment #1.

Mr. Grevas: I went to see Orange County Planning today. The approved plan does not say subdivision.  
The second plan looks like a subdivision.

Chairman Van Leeuwen: At pre-submission conference land must be defined how it is to be used. He does not have approval by Atty. General's Office. I am talking about the new plan.



I'am talking about new plan.

The question - What do we do with what we have?

1st - He could be brought in.

2nd.- A way to keep it from going down the tubes or being abandoned.

Mr. Spignardo: I would not go with small lots.

Mr. Grevas: If you could agree on a cluster plan.

You approved a site plan.

I saw 9 houses on a

Mr. Jones: I saw nine houses on a loop. There is now 11.

Mr. Grevas: There are no sideyars. Total building 160 ft. long.

Mr. Scheible: Seventeen and one half feet between each building.

Chairman Van Leeuwen: We have it on record that this is all common grounds.

There are no closings so far.

Mr. Grevas: You approved the site plan with all the buildings.

If you approved the site plan and the map doesn't say

Condominiums.....

Mr. Cuomo: He hasn't been in because the drainage isn't done.

I would like to introduce you to our new Building & Zoning Inspector.

Mr. Patrick Kennedy.

Mr. Grevas: You have to agree on lot lines.

Mr. Spignardo: Why cluster?

Mr. Grevas: Condominiums if he could get approval by the Atty.

Generals Office. The best thing to do is to sit down with

Mr. Campbell and try to solve this with him.

Mr. Spignardo: You won't have common grounds.

Mr. Grevas: Yes you can.

Chairman Van Leeuwen: He can't get Title Insurance.

Mr. Grevas: He can get building permits.

Mr. Spignardo: Right off the bat he didn't put retention ponds in. He didn't follow the agreement.

Mr. Schiefer: He can't sell any and have a closing before we agree.

Mr. Cuomo: He is working on the ponds.

He is planning on coming in when he finishes them. I have seen the pond. It did hold the water when we had that rain storm a few weeks ago.

Chairman Van Leeuwen: I have been talking to Supervisor Petro and Tad Seaman at great length over all this.

Chairman Van Leeuwen: If there is no further business to come before the Board this evening I will entertain a motion to adjourn.

Motion by Mr. Scheible seconded by Mr. Jones that the Planning Board of the Town of New Windsor adjourn the meeting of December 1st.

Roll call: All ayes, no nays, (7ayes, 0 nays.)

Meeting adjourned 9:20 p.m.

Respectfully submitted,

*Shirley B. Hassdenteufel*

SHIRLEY B. HASSDENTEUFEL  
Recording Secretary

112 Dickson Street, Newburgh, N.Y. 12550

October 15, 1982

Central Hudson Gas & Electric  
410 Little Britain Road  
Newburgh, N.Y. 12550  
Attn: Anita Seaman

Dear Ms. Seaman:

With reference to the N.Y. State highway work permit application you submitted to extend the gas main along Route 32 for the Commons at Windsor development, I am holding up on the processing until such time as I get the developers to file their application. I will advise you as soon as this is done.

Very truly yours,

D. F. Fullam  
Resident Engineer

by:

*Dominick Bello*  
Dominick Bello  
Asst. Resident Engineer

cc P. Cuomo, P.E. - Town of New Windsor

DFB:DB:lp

*10/22/82*  
*cc: Penning Bd*  
*PVC*

**RECEIVED**

OCT 20 1982

TOWN ENGINEER'S OFFICE  
TOWN OF NEW WINDSOR

Shirley  
Lee

[illegible]

Read 11/9/92  
R. L. Hawley



91 green street • huntington • long island, n.y. 11743 516-549-4744

## land design associates

landscape architects • land planners

April 1, 1981

Mr. Paul V. Cuomo, P.E.  
Town Engineer  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York

RE: THE COMMONS AT WINDSOR

Dear Paul:

Subsequent to a conversation with Mr. Kenneth Campbell, the developer of the above project, we are hereby requesting that "The Commons" be permitted to "tap into" Sewer District #5 at MH #22. Our original sewer plans on file, did show a connection to District #5 as opposed to District 11A.

We enclose a Sanitary Sewer Plan with appropriate notes indicating the ability to make the connection.

If you have any questions, please feel free to contact me.

Very truly yours

LAND DESIGN ASSOCIATES

Robert Manniello

RM/ea  
Encs. (4)  
cc: Mr. K. Campbell  
Encs. (2)

*4/3/81*  
*cc; Planning Bd*  
*2 Encls.*  
ROBERT MANNIELLO  
COLLE HAVES  
WILLIAM JOHNSON ASSOCIATE

RECEIVED

APR 3 1981

TOWN ENGINEER'S OFFICE  
TOWN OF NEW WINDSOR

BERGER & KRAMER  
Attorneys

225 BROADWAY, NEW YORK, NEW YORK 10007 212-227-1010

Martin M. Berger  
Herbert Kramer

Joshua Roth  
Robert A. Goldstein  
Joel Defren

March 31, 1981

Philip A. Crotty, Jr.,  
Town Planning Board Attorney  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, N.Y. 12550

Re: Commons at Windsor  
Our File No. 280051

Dear Mr. Crotty:

Pursuant to the requirements of the Planning Board approval letter dated May 19, 1980 for the above property, enclosed please find copy of the proposed Offering Plan as submitted to the Office of the New York Attorney General for review. Please be advised that this is a preliminary draft only and is subject to correction and/or amendment.

I would appreciate hearing from you whether, in your opinion, any provisions of the Plan pose difficulty for the Town. If such is the case, I am sure that changes in the Plan satisfactory to the Town can be made.

Yours very truly,

JOEL DEFREN

JD/lh  
cc.: Ernest G. Spignardo, Chairman  
Town of New Windsor Planning Board

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 12 September 1980  
SUBJECT: Site Plan of Commons of Windsor

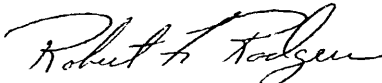
-----  
The Bureau of Fire Prevention has reviewed the aforementioned site plan. Unfortunately, the plan which was provided to the Bureau did not include the water mains or fire hydrant locations.

Due to this, the Bureau was unable to determine if the recommendations which were made in a memo dated 29 July 1977 (copy of which is attached) to the Planning Board, have been implemented. The Fire Prevention Code of the Town of New Windsor mandates that these items be completed.

Would you please supply the Fire Prevention Bureau, a final site plan which would include the water mains and fire hydrant locations.

Thank you for your time.

Respectfully,

  
Robert F. Rodgers

Att.

MEMORANDUM

TO: New Windsor Planning Board  
FROM: Town Fire Inspector  
DATE: 29 July 1977  
SUBJECT: The Commons of Windsor

A meeting of the New Windsor Fire Prevention Bureau was held on the 26 of July 1977, at which time the aforementioned site plan was rejected for the following reasons.

1- Three (3) dead end mains exist. (Circled in red on plan)

Section 21-10; paragraph D; of the Town Code states: "Water main lines must loop into the water system and dead-end mains are prohibited."

2- The water main does not loop back into the system.

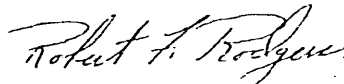
Item number two (2) is defined above also. The purpose of a water main looping back into the system is as follows. Lets say a break in the water main line occurs at the sleeve crossing Route 32. (see sketch) How are the residents of this area going to get water for household use, or how are fire fighting forces going to get water should a fire occur. With a loop system there are two (2) feeds to the neighborhood. When the main is looped back into the system, it is very unlikely that a break would occur in two (2) different locations at the same time.

3- Shrubberty may not be placed within fifteen (15) feet above or to either side of a fire hydrant.

Section 21-10; paragraph E; of the Town Code states; "Emplacement or maintenance of material or objects, including trees, bushes, flowers, shrubberty, rubbish, garbage cans, mailboxes or guardrails which hamper fire-fighting operations, is prohibited within fifteen (15) feet above or to either side of a fire hydrant."

If I can be of any further assistance, please feel free to call on me.

Respectfully,



Robert F. Rodgers





1763

# TOWN OF NEW WINDSOR

955 UNION AVENUE  
NEW WINDSOR, NEW YORK

May 1, 1980

Mr. Kenneth Campbell  
239 Springtown Road  
New Paltz, New York 12561

Dear Mr. Campbell:

As you have been informed your site plan for 185 condominium units on Windsor Highway, (Route 32) in New Windsor, New York has been approved.

The following fees for the approved site plan must be paid prior to receiving your signed maps:

\$46,250.00 recreation fee (\$250.00 per unit)

1,950.00 site plan fee (\$100.00 plus \$10.00 per unit)

200.00 engineering fees

\$48,400.00 total

Payments must be made with three (3) separate checks and made payable to the Town of New Windsor.

Very truly yours,

*Ernest G. Spignardo*

ERNEST G. SPIGNARDO  
Chairman

EGS/sh

Mr. Kenneth Campbell  
 239 Springtown Rd.  
 New Paltz, N.Y. 12561

As you have been informed, your site plan for 185 condominium units on Windsor Highway (RT. 32) in New Windsor N.Y. have been approved.

The <sup>following</sup> fees for the approved site plan must be paid prior to receiving your signed maps:

\$46,250.00	recreation fee (\$250.00 per unit.)
1,950.00	site plan fee \$100.00 plus \$10.00 per unit.
<del>200.00</del>	engineering fees
\$48,400.00	Total

Payments must be made with three separate checks in the amounts listed above. All checks made payable to Town of New Windsor.

E. J. Siguard



# COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

## Department of Health

124 MAIN STREET  
COSHEN, NEW YORK 10924 TEL: 914-294-7961

9/9/81  
President  
Ph. Board  
sh.

Walter O. Latzko  
President, Board of Health

Russell C. Johnson, M.D.  
Commissioner of Health

September 8, 1981

RE: Commons of New Windsor

Mr. Robert Manniello  
Land Design Associates  
91 Green Street  
Huntington, Long Island  
New York 11743

Dear Sir:

This project has been discussed with Mr. Joseph Marcogliese of the New York State Department of Environmental Conservation. He states that you have been advised that his department considers this project as a subdivision and that all reviews and approvals will have to be made on that basis.

We will expect a submittal of plans, engineer's report and application covering the service of water to all of the lots involved.

Very truly yours,

M. J. Schleifer, P.E.  
Assistant Commissioner

MJS:dlb

cc: John A. Petro, Supervisor  
Mr. Ken Campbell  
Philip A. Crotty, Jr., Esq. ✓  
WPRO:DEC  
File



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK  
(914) 565-8807

October 1, 1980

MR. KENNETH CAMPBELL  
C & F CONSTRUCTION  
239 Springton Road  
New Paltz, N. Y.

RE: THE COMMONS AT WINDSOR  
TOWN OF NEW WINDSOR, NEW YORK

Dear Mr. Campbell:

At the last meeting of the Planning Board it was mentioned that there is a graveyard located on the construction site of The Commons at Windsor, Route 32, New Windsor, N.Y.

This graveyard should be preserved and, therefore, should be properly marked as soon as possible. A survey should be conducted and marked on your site plan to be submitted to the Planning Board.

If you have any questions, please contact Paul V. Cuomo, Town Engineer, at 565-8802.

Thank you.

Very truly yours,

ERNEST SPIGNARDO, Chairman  
New Windsor Planning Board

ES/sh  
cc:Town Board



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

*Received  
3/28/84  
ph.*

March 28, 1984

Valley View Development Corp.  
Route 32  
New Windsor, New York 12550

Re: Site Plan for the Former Commons Property

Dear Sirs:

The revised site plan for your project on Windsor Highway, Route 32 in the Town of New Windsor has been approved. This site plan provides for 175 units of fee ownership with common areas to be owned by a homeowner's association.

Before commencing any other work, you must first complete construction of the retaining ponds according to the specifications required by the New York Department of Transportation.

Before commencing installation of utilities, you must obtain a performance bond satisfactory to the Town Engineer and you must obtain the required approvals from the New York Department of Environmental Conservation and the Orange County Health Department.

Your approval is also subject to payment of any of the following fees, unless they have already been paid by you:

\$1,250.00 Recreation Fee (initial installment of five units at \$250.00 per unit). The payment for each unit after the first five shall be paid on a unit by unit basis prior to receipt of a building permit from the Building Inspector. The per unit fee is \$250.00;

\$1,950.00 Site Plan Fee (\$100.00 plus \$10.00 per unit);

\$200.00 Engineering Fees.

Valley View Development Corp.  
March 28, 1984  
Page 2

Please make the above payments by three separate checks.

Very truly yours,

ANDREW S. KRIEGER  
Town Planning Board Attorney

ASK/lar

cc Mr. Henry Reynolds

Received 8/8/84 sh

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Thursday NOVEMBER 10, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 10, 1983

---

### FIELD LOG

On Site: 11:00AM                      Weather: Cloudy  
Off Site: 1:30PM                      Temperature: 40-55 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner                      All Day  
1 backhoe operator & 1 laborers, Corbin                      All Day  
2 surveyors, Pauli                      - to 1:15PM

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. CHG&E on site yesterday afternoon to mark out gas mains in designated areas. Corbin's crew & La Forge were successful in locating utilities yesterday afternoon and this morning. Crew found the 6" main line tee to the hydrant, which is at the intersection of Liberty & Hancock. Tee is not inside paved area as shown on LDA drawings, but 3' west of curb in grass area. From CHG&E markings the 6" water main is directly under the gas main.
2. From information gathered during excavation of adjacent test pits, the 6" main line tee, which connects the water lines of Hancock Dr. & Liberty Court, is not in paved area as shown, but 30 feet north in grass area, possibly under the pile of dead trees, stones and debris.
3. Corbin completed excavation of Test Pit 9 yesterday at intersection of Washington Ct. & Lexington Blvd. which revealed 4" watermain on Washington Ct. Main located approx. 5' from curb radius at SE corner of intersection. No valve found. Crew continued excavating across Lexington Blvd. and found 6" tee, 4' south of north curb and 6' east of east curb line of Washington Ct. Excavated material was granular with average moisture content. Approx. 4' of cover over water. Sewer & stormsewer were not located as crew moved to another test pit.
4. Subsurface excavation for Test Pit 9 revealed:  
- 1 1/2" of macadam

- 6" to 8" of shale over virgin ground  
- Remarks: Virgin ground confirmed by existing grades at base of trees on each side of roadway.

5. Corbin's crew also completed Test Pit 12 yesterday and located either the water or sewer (both pipes are white). This utility will be verified by the size pipe, which has not yet been determined. Stormsewer found approx. 12' north of north curb of Lexington Blvd in grass area.
6. When G. Shaw arrived on site, crew was excavating Test Pit 17 in unpaved area of Lexington Blvd. All three utilities were located within curblines with shallow cover.
7. Corbin's crew excavated Test Pit 18 at intersection of Lexington Blvd. & Saratoga Ct. and found 6"x4" tee which had no thrust block behind the tee-only a stone. Saratoga Ct. valve, previously located, was excavated for pipe elevation and in the process a valve tag was removed. Tag confirmed the valve and line was 4". While unpaved roadway surface is very uneven, it seems the water mains in this area do not have 4' of cover.
7. Excavated Test Pit 19 immediately uphill of 6" main line valve on Lexington Blvd., at it's intersection with Saratoga Ct. to find termination point of the water main. No water main is present past the 6" valve, as the valve (being in a closed position) does not have extension piping, cap or plug, or thrust block. Excavation was careful so as to not blowoff valve from the line. A small amount of water leaking from the valve.
8. Manhole at same intersection was excavated on uphill side to find termination point of inlet pipe. No pipe was present, only precast concrete opening in manhole with rubber collar boot. As no covering was installed over the opening, earth was entering the sanitary sewer system, silting downstream pipes.
9. Surveyors completing As-Builts of building, utilities and roadways. Talked to R. Pauli and he said crew would be back Monday, all day, to locate new test pits and begin work on the retention ponds.
10. Although G. Shaw off site, rain began at 3:15 in afternoon and continued for the rest of the day.



## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Monday, NOVEMBER 7, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 7, 1983

---

### FIELD LOG

On Site:	8:20AM	12:30PM	Weather:	Sunny
Off Site:	11:45PM	3:45PM	Temperature:	35-55 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner	All Day
1 backhoe operator & 2 laborers, Corbin	All Day
3 surveyors, Pauli	All Day

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Surveying crew on site, concentrating on roadways, curbs and utilities. Central Hudson man stopped on site in morning. Did not markout any utilities.
2. Surveyor's brought metal detector and located a valve at each intersection of Hancock Drive and Lexington Blvd. Almost all valve boxes are buried or not installed, additionally, catch basin and manhole on Liberty Court was not able to be located. The As-Built utilities, those which can be found, do not resemble the design drawings as their locations have changed.
3. Excavated Test Pit 6 on Liberty Court. LDA drawings show all three utilities within paved throat of road but after excavating test pit (from curb to curb) to approx. 8.5 feet in depth, only sewer located.
4. Subsurface excavation for Test Pit 6 revealed:
  - 1 1/2" to 2" of macadam
  - 7 to 8" of shale
  - 3.5' to 4' of on-site fill(approx.)
5. Excavating crew continuing to dig test pits all day. Almost all test pits revealed material to be clay and wet. No plate compactor on job so that uncompacted site material will have to be used for backfill. Notified Bill LaForge and Corbin's men not to enter any excavation deeper than 5 feet as trenches are not sheeted.

6. Corbin laborer cleaning out sanitary manholes and catchbasins. No other equipment on site as requested by G. Shaw on Friday. G. Shaw told Bill LaForge that without the equipment, tools and additional men our schedule cannot be met. Attempts to rent equipment from Calvet was also fruitless. The problem seems to be a lack of credit, and immediate available funds. Excavating crew worked all day again without tools or pipe to repair a water main break.
7. Art Maharay on site @ 10:30 to discuss with G. Shaw the proposed location of new sewer on his property.
8. Tried to contact A. Cappelli @ 11:45AM, not in his office.
9. Located valve box at lower intersection of Hancock Drive & Lexington Blvd. which was buried 12" below macadam. Top nut of valve was 4.3 feet below rim of valve box cover. As Test Pit 3 will be excavated in this area later, material description was not recorded.
10. Inspected catch basins on Lexington Blvd. and noted inverts approx. 4 feet above bottom of basin. Laborer stated that a few basins had no concrete bottoms, and were installed on earth. One sidewall of concrete chamber looked undermined.
11. Sanitary sewerline on Hancock Blvd. not installed in straight line, as it follow curvature of curb as revealed during Test Pit 15.
12. Hard to determine depth of virgin ground during excavations due to so many utilities trenches excavated, and backfilled with on-site material. To date no groundwater encountered, but material has high moisture content.
13. Test pits completed to date in paved areas:  
No. 4A, No. 14, No. 15, No. 16, Hancock Drive  
No. 6, No.7 Liberty Court
14. Reviewed with Bill LaForge activities for tomorrow:
  - Flush out catchbasins and storm drains into retention ponds.
  - Flush out manholes and sanitary sewers, by pumping into retention ponds. Will require pumps, plugs and fire hoses.
  - Continue excavating test pits on Liberty Court, and then move to Saratoga Court.
  - Surveyors to continue As-Builts.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Tuesday, NOVEMBER 8, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 8, 1983

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### FIELD LOG

On Site:	9:30AM	Weather:	Sunny
Off Site:	4:45PM	Temperature:	40-60 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner	All Day
Marty Posner, M.J. Posner	10:00 to 4:45
1 backhoe operator & 3 laborers, Corbin	All Day
2 surveyors, Pauli	10:15 to 4:45

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Corbin completing excavation of Test Pit 6 on Liberty Court. Within curblines only sanitary sewer exposed. Found 4" water running parallel and under north curb. No storm drain found between curbs, as storm sewer from catch basins on Hancock Drive discharge into catch basins on Lexington Blvd.
2. Corbin laborers continuing to cleanout catch basins and manholes.
3. Traced storm sewers along Lexington Blvd. which, in addition to stormsewers of Hancock Drive, are connected to Retention Pond "E". This deviates from the drawings of LDA. According to the drawings, Hancock Drive and Liberty Court discharge into Pond "E", while Lexington Blvd. discharges into Pond "D". Field inspection indicates that Liberty Court has an outlet into Pond "E", while Hancock's and Lexington's combined flow discharge also into Pond "E" through another outlet. There is no connection from the storm sewers on Lexington Blvd. to Pond "D".
4. Catch basins at entrance to Valley View filled with water above top of pipes. This water level is at the same elevation as the Retention Pond "E", which indicates that the pond's water elevation too high. This situation is a result of the ponds not being deep enough, or pond outlet too high.

5. Upon inspection of catch basins and LDA's drawings, we believe that the basins have no concrete base, only earth as indicated on the drawings. Found large stone within a catch basin on Hancock Drive, which was larger than the 24" diameter cover.
6. Meeting on site today with principals of the project. On site: R. Gordon, P. Shelby, A. Cappelli, A. Goldstein & F. Gibney.
7. Pauli crew on site continuing As-Builts. Central Hudson not on site due to Holiday.
8. During excavation of Test Pit 7, a corporation cock was exposed. Cock secured into pipe with a saddle.
9. G. Shaw suggested a second backhoe to expedite job by beginning excavation to determine location of house laterals.
10. From excavations it seems water lines do not intersect within paved area at Liberty Court and Hancock Drive. We will verify intersection of lines by excavating for tee north of same.
11. Corbin crew has no additional equipment on site as requested by G. Shaw. Productivity slow as only major excavation of the day was completing Test Pit 6, and Test Pit 7 on Liberty Court.
12. At end of day, Corbin began excavating Test Pit 8 on Lexington Blvd.  
Subsurface excavation for Test Pit 8 revealed:
  - 1 1/2" of macadam
  - 6 to 7" of shale over virgin ground.
  - Remarks: Virgin ground confirmed by existing grade at base of trees at each side of road.
13. Tomorrow Corbin will excavate Test Pits 9, 12, 13 in addition to completing Test Pit 8.

Received 8/8/84  
wh.

MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Thursday, NOVEMBER 3, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 5, 1983

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FIELD LOG

On Site: 9:00AM  
Off Site: 1:15PM

Weather: Cloudy/Rain  
Temperature: 30-45 Degrees

Personnel On Site:

Bill LaForge, M.J. Posner	All Day
1 backhoe operator & 4 laborer, Corbin	All Day
3 man surveying crew, Pauli	8:30 to 10:45
1 man, Central Hudson	8:30 to 12:00

Equipment On Site:

1 Case Backhoe 580C

Summary of Events:

1. Pauli crew on site, working in area of Route 32 and entrance to project. Left in morning due to rain showers. Crew on site yesterday marking out roadway in 50 ft. intervals, and probably verifying previous baselines.
2. Central Hudson on site due to LaForge telephone call yesterday. G Shaw explained scope of work and CHG&E man will try to be on site every day to mark out utilities as needed. Gas main is PVC and energized, while only certain sections of underground electric energized. Gas, electric, and cable are installed in one trench. Cable wiring not installed, only conduit.
3. Corbin's 5 man crew not necessary with only one backhoe on site. Corbin did not bring tools or parts for water main repairs. Paul Cuomo, P.E. on site at the request of G. Shaw for the purpose of borrowing valve key. Corbett sent a man to his shop to pick up a key. Part of the morning wasted waiting for key to shut off water in case of a break during excavation.
4. Observations:
  - PVC Water Main Pipe:  
Certain-Teed 6" CL PVC 1120 DR18 PC150 AWWA C900 NSF-PW T600  
Vinyl Iron T3DN2S
  - PVC Sewer Main Pipe:  
GP180I151BU 8" CI JM R T PVC 1120 CL150 DR18 T600 NSF-PW AWWA

## C-900

- CPP Drainage:
    - No markings on pipe
  - PVC Tubing for Services:
    - 3/4" Cresline Imperial PT CTS Water Service Tubing SDR 13.5 PB2110
    - 150PSI @ 73 F. NSF-PW Drinking Water ASTM D2666 1280154-S3
  - Water distribution system pressurized.
  - Sewer mains and manholes plugged with silt and stones.
  - Water collecting in manholes due to outlet higher than inlets.
  - Storm sewer mains and catchbasins plugged with silt and stones.
  - Some catch basins constructed out of manhole sections.
  - Almost all valve covers buried under macadam or not installed.
  - Water, sewer and stormsewer not installed according to plans.
  - Meter Pit constructed out of concrete block and filled w/ approx. 2' of water.
  - Utilities terminate at intersection of Lexington Blvd. & Saratoga Court.
5. Corbin excavated in three areas without finding water main before G. Shaw left site:
- Watermain blowoff on Liberty Court, Test Pit 7
  - Hydrant at lower intersection of Hancock & Lexington, Test Pit 4
  - Valves boxes at lower intersection of Hancock & Lexington, Test Pit 3
6. Subsurface excavation for Test Pit 7 revealed:
- 1 1/2" to 2" of macadam
  - 10 to 12" of shale
  - 4' of on-site fill(approx.)
  - Remarks: Exact depth of fill was difficult to ascertain as area was very wet and excavation was performed in an existing trench.
7. Telephoned A. Cappelli in afternoon to update his office on progress.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Friday, NOVEMBER 4, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 5, 1983

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### FIELD LOG

On Site: 8:30AM  
Off Site: 3:30PM

Weather: Sunny  
Temperature: 30-50 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner  
Marty Posner, M.J. Posner  
1 backhoe operator & 1 laborer, Corbin

All Day  
10:15 to 2:30  
All Day

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Surveying crew not on site, telcom w/ Pauli-will have crew on site Monday. Central Hudson crew not on site.
2. Inspected test pits excavated by Corbin's crew yesterday. Upon inspection of Test Pit 7, could not find 6" PVC piping which feeds blowoff on Liberty Court. Also during excavation of Test Pit 4A, 6" piping which feeds hydrant at Liberty & Hancock is not within curblines, but outside of curbline near Unit No. 25. Did not excavate outside of pavement limits due to gas utility being energized.
3. Subsurface excavation for Test Pit 4A revealed:
  - 2" to 3" of macadam
  - 6" to 8" of shale
  - 2' of on-site fill(approx.) over virgin ground.
  - Remarks: Exact depth of fill was difficult to ascertain as excavation was performed in an existing trench, and the pipe was approx. 4' deep. Pieces of macadam indicated a pavement depth of 7".
4. M.J. Posner on site for inspection, and notified G. Shaw that Vara Drainage would not be verifying their work. The work would have to be performed by Corbin excavation, with direction from G. Shaw. To accelerate utility verification, G. Shaw designated 21 potential test pits, and requested second crew on site to begin cleaning out manholes/catchbasins and pipelines. Submitted to Bill LaForge, scope of work for each crew, with respective equipment, tools and materials

required to perform work. Posner Constr. will try and secure as much as possible by Monday.

5. Corbin excavated Test Pit 16 on Hancock Drive located in front of Unit 19 and exposed the water line.
6. Subsurface excavation for Test Pit 16 revealed:
  - 1 1/2" to 2" of macadam
  - 10 to 12" of shale
  - 2.5' of on-site fill(approx.) over virgin ground
  - Remarks: Material contained high moisture content.
7. Excavated Test Pits 18 at intersection of Lexington Blvd. & Saratoga Court (unpaved area). Sanitary sewer manhole had no frame and cover, only large stone rolled over top. Very shallow manhole, only 2.5 feet of cover over pipe, with manhole base containing 5" of silt and gravel resulting from inflow through top section. This manhole obvious source of silt that has plugged downstream sewer lines. Excavated 6" tee which feeds hydrant, and (3) 4" solid CMUs serve as thrust block. While terrain was not uniform, cover over pipes and valves was insufficient.
8. Excavated Test Pit 15 within curblines on Hancock Drive, in front of proposed Unit 15. Water and sewer lines were located.
9. Subsurface excavation for Test Pit 15 revealed:
  - 1 1/2" to 2" of macadam
  - 10 to 12" of shale
  - 2.5' of on-site fill(approx.) over virgin ground.
10. Excavated Test Pit 14 on Hancock Drive, in front of Unit 24. Water main was located. No sewer or storm sewer designed for this area.
11. Subsurface excavation for Test Pit 14 revealed:
  - 2" of macadam
  - 6" to 8" of shale
  - 2' of on-site fill(approx.)
  - Remarks: Fill contained vinyl siding strips and wood debris. Exact depth difficult to ascertain as excavation was in existing trench.
12. Discussed with LaForge that future test pits will be excavated from curb to curb to verify uniform alignment and slope of sanitary and stormsewers.
13. Telephoned A. Cappelli in afternoon to update his office on progress. A. Cappelli out of office for afternoon.



## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Wednesday NOVEMBER 9, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 10, 1983

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### FIELD LOG

On Site:	11:00AM	Weather:	Sunny
Off Site:	2:30PM	Temperature:	40-55 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner	All Day
1 backhoe operator & 1 laborer, Corbin	All Day
2 surveyors, Pauli	All Day

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. As G. Shaw arrived on site, Corbin's crew completing excavation of Test Pit 8 on Lexington Blvd. exposing water main, sanitary and storm sewers. Both the water and sanitary sewer pipes are white which differ from the JM Ring Tite Pipe installed on Hancock Drive.
2. Corbin's crew is excavating Test Pit 12 on Lexington Blvd. Found either water or sewer, both are white, and did not find storm sewer, as it's location is possibly outside of curb line to the north.
3. Subsurface excavation for Test Pit 12 revealed:
  - 2" of macadam
  - 6" to 7" of shale over ground
  - Remarks: Material has average moisture content, and it's composition is semi-granular with a mixture of clay.
4. Tried excavating Test Pit 9 at intersection of Lexington Blvd. & Washington Court for water valve, but was unsuccessful. G. Shaw directed the crew to Test Pit 11 on Washington Court to excavate at blowoff to find alignment and terminal point of 4" water main. The end of the main was located immediately past blowoff with a cap on the watermain, and no thrust block. Pipe installed approx. 3' below grade.

5. Material excavated at Test Pit 11 (unpaved) was very wet clay with tree limbs, tires and debris for backfill.
6. Productivity slow today as utility locations are not as indicated on the drawings. Prior to leaving job, G. Shaw directed the crew to continuing excavating Test Pit 9, and Test Pit 12.
7. Pauli's crew obtaining As-Builts and inverts.

Inspection Report #1

Unit #6

Valley View Estates, New Windsor, New York

November 8, 1983

received 8/8/84 sh

Existing Conditions Observed:

1. Shingles missing on roof. Roof must be completed.
2. Siding coming loose in many areas as well as some damage to include overall improper installation. Should be corrected.
3. Damp proofing foundation wall extends above grade level. Should be corrected.
4. Front porch not completed.
5. Side porch not completed.
6. Settlement crack rear wall of foundation has been observed. Should be exposed full depth of crack, patched and damp proofed to prevent any leaking within confines of basement.
7. Basement window improperly installed, as well as 1 glass light broken.
8. Hardware missing, front entrance. Deadlock finish - polished brass.
9. Window sash missing in livingroom.
10. No gutters.
11. No shutters.
12. Exterior trim needs painting.
13. It seems that storms and screens on all windows are in place.
14. Improper bracing of wood trusses as well as proper blocking where ceiling meets wall area on interior confines of building proper so that sheetrock can be installed in the proper manner.
15. Storm window, bottom frame, broken, front bedroom.
16. Interior framing not completed.
17. Evidence of perimeter footing drain discharge line found.
18. Concrete slab-on-grade in basement not poured.
19. No electrical roughing.
20. No plumbing roughing.
21. Miscellaneous pieces of siding, trim, lally column found in unit.
22. Form ties in foundation wall must be broken off, cemented and damp proofed in the proper manner.

23. Where pocket has been provided in concrete foundation wall for seat of structural girder, exterior face in that area has been broken. Should be repaired in the proper manner.

24. Structural girder should be secured properly.

NOTE: As-built conditions observed as of November 2, 1983.

~~unit #9~~ - Key #1

Valley View Estates, New Windsor, New York  
November 8, 1983

Existing Conditions Observed:

1. Concrete foundation wall poured.
2. Concrete footings poured for lally columns which would assumingly be intermediate support of main girder supporting floor system above.
3. Front porch foundation walls poured (concrete).
4. Foundation wall down to footing elevation has been exposed around periphery of same to expose drain tile so that same can be placed in a proper manner.
5. Concrete foundation wall had not been water proofed.
6. No footing drains were placed.
7. No anchor bolts on top of foundation wall were furnished and installed for the purposes of securing sill plate to foundation of building above.
8. No pockets in foundation walls were provided for main girder system to seat on same.
9. No gravel or fill was placed/prepared to receive concrete slab-on-grade in basement area.
10. No fill was provided within foundation wall for front porch.
11. Curb box for water valve in but not source supplying to unit.
12. Sewer hookup to main from curb but not to building.
13. Both water and sewer have to be extended to foundation of building unit.
14. Electric, gas, telephone seem to be supplied from street to building. Cable T.V. we could not find.
15. Upon visual inspection, we found water present, both inside building proper and exterior side of foundation wall surrounding building proper.
16. Concrete pads for electrical service feed and transformer are in.
17. Form ties throughout foundation wall have to be broken off and holes patched prior to water proofing foundation wall.
18. Upon visual inspection, no provisions have been made in foundation for windows in basement, if they are required.

NOTE: Existing conditions observed as of October 31, 1983.

Existing Conditions Observed:

1. Flashing of roof vent not secured properly.
2. No patio deck.
3. Patio door installed improperly.
4. Windows installed improperly; must be secured in a proper manner to include all exterior doors.
5. Basement windows not installed properly.
6. Siding cut too short by kitchen window. Has to be corrected.
7. Waterproofing of foundation wall extends above grade level. Must be corrected.
8. No side porch.
9. No exterior electrical fixture.
10. No shutters, gutters, storm windows or screens.
11. Siding and trim not completed over bay window. Window needs work. Improperly installed.
12. No front entrance.
13. Porch needs to be parged.
14. Curb box/water valve has to be removed and replaced.
15. Discharge pipe for perimeter footing drains is visible.
16. Two foot section of rake and soffit on east end, gable side of building, missing, in addition to siding cut too short and is loose. Must be repaired.
17. Roof overhang is 10" in lieu of 12" as reflected on promotional literature.
18. Exterior trim not painted.
19. Main structural girder has to be secured properly.
20. Water service seems to be in building. Not inspected.
21. Gas feed in building not inspected.
22. Furnace not hooked up to electric, gas.

23. Hot water heater missing.
24. Slope on sewer line in basement going in wrong direction. Must be rectified.
25. Electrical roughing in. No electrical service panels. No inspection.
26. It was observed that 9 kitchen cabinets have been destroyed by water damage in basement whereby 3 cabinets (wall cabinets) might be salvageable.
27. Also, 180 L.F. of base has been damaged by water as well as 7 pieces 1/4" plywood, 4'-0" x 8'-0", AD likewise has been damaged by water.
28. It was observed that the furnace was likewise in approximately 8" of water. Could not ascertain if any damage was done to furnace.
29. Overall inspection of basement area shows excessive water throughout and very damp.
30. No handrail to basement.
31. No under layment of floor in bathroom or kitchen.
32. Ceilings seem to be painted in a proper manner.
33. Walls finish unsatisfactory.
34. All trim work has to be painted.
35. No electrical fixtures.
36. Finished hardware missing.
37. No access to attic.
38. Registers for air distribution missing.
39. Floor missing in closet area over stairs.
40. Miscellaneous material found on site:
  - a. 40 L.F. of base.
  - b. 1 piece of 1/4" plywood.
  - c. 14 L.F. of shelving.
  - d. 24 L.F. of 1" x 2" #2 common pine.
  - e. 1 set of window trim.
  - f. 10 L.F. door casing.

41. Exposed wiring for front doorbell.
42. General comment - house needs complete cleaning out.
43. Clothes pole in closet missing.
44. Electrical roughing inspection done on November 15, 1982. See attached.
45. We could not ascertain at present if insulation has been put in walls and ceilings. Will advise.
46. Weather stripping of all openings should be done in a proper manner.

NOTE: As-built conditions observed as of November 2, 1983.



THE NEW YORK BOARD OF FIRE UNDERWRITERS  
BUREAU OF ELECTRICITY

Electrical wiring in this building  
has been inspected and found to  
comply with the electrical code so  
far as completed. ☐ RESIDENCE ☐ SERVICE

LOCATION:

*Lot 13 Rt 32 New Windsor*

REMARKS:

NOTE:-- Above approval is not a permit for the use of electricity.  
Covers only the concealed wiring.

DATE

*11/15/82*

INSPECTOR

*D. J. DeLena*

Existing Conditions Observed:

1. Roof shingles curling/sticking up. Must be repaired.
2. Roof vent flashing not secured properly.
3. Some windows not installed properly. Must be secured.
4. Sections of siding, soffit, fascia, trim, etc., improperly done and in some areas, sections are removed.
5. Damp proofing foundation wall extends above grade level. Must be corrected.
6. Footing drains installed but no evidence of discharge/relief.
7. Rear of building, large hole, assume for footing drains. Must be taken care of to avoid hazardous condition.
8. No patio.
9. Two basement windows not completely installed.
10. Front porch has to be parged and finished in the proper manner.
11. Sewer line connected in building.
12. Curb box/water meter completed.
13. Electric, gas, phone within 20' of building.
14. Trim needs painting (exterior).
15. Front entrance door, hinges installed improperly.
16. Difference of hardware finish, deadlock has polished brass finish, whereby lockset bronz finish.
17. Entire basement area covered with 1" of water.
18. Plumbing and gas roughing in building. No inspection.
19. Roughing for support of bathroom tub improperly done.
20. Copper water line (service) into building, concrete discoloring copper.
21. Gable end of building, west elevation, no sheathing and/or temporary covering to protect interior from elements. Should be taken care of as soon as possible.
22. Rough electrical wiring approximately 90% complete. No electrical panel boxes, no inspection.

23. Improper blocking, bracing of wood trusses. Need wood blocking where ceiling meets wall area to secure sheetrock to in a proper manner.
24. Stairs to rec room improperly installed. Has to be adjusted properly.
25. No stairs to basement.
26. Main structural steel girder being improperly supported by wood studs in rec room. Must be rectified immediately to alleviate any structural damage or failure within floor system.
27. It was observed that cross bridging for floor systems in all units are done using 1-1/2" square wood pieces in lieu of 1" x 3" wood cross bridging as advertised in promotional literature.
28. Concrete slab-on-grade in rec room has settled and cracked (4" slope in floor).
29. No storm windows.
30. No screens.
31. No rewiring for phone system.
32. Duct work not installed.
33. Screen for patio door not in.
34. Miscellaneous materials found in unit (surplus):
  - a. 120 L.F. wood base, not finished.
  - b. 180 sq. ft. of shelving (particle board, various sizes -- some in good shape, some in bad shape).
  - c. Miscellaneous pieces of siding, soffit and trim work.
  - d. Kitchen cabinets:
    - 1, 36" base unit
    - 1, 18" base unit
    - 1, 12" base unit
    - 1, 42" base unit
    - 2, 42" wall cabinets
    - 1, 48" wall cabinet, all of which seem to be in usable shape.
    - 1, 36" unit found in basement ruined, water damage.
  - e. 1 piece vent ridge.
  - f. 1 section attic access frame and cover.

tion Report #1

#15

Valley View Estates, New Windsor, New York  
November 8, 1983

Page 3.

35. Ceiling heights in rec room as well as window heights and location should be checked for any code violations.
36. No gutters.
37. No shutters.
38. Wall by livingroom ceiling out of square, approximately 2" within a 2' space.

NOTE: As-built conditions observed as of November 2, 1983.

Existing Conditions Observed:

1. It was observed that only half the block foundation wall was completed. Approximately 550 blocks would need to be laid to complete foundation wall.
2. No footings for lally columns were observed.
3. It was observed by our excavator, Don Corbin, and our field super, Bill LaForge, that the footing for the front wall is possibly seating on unstable soil.
4. No footing drains were observed.
5. One basement window was missing.
6. Foundation wall has to be parged and damp proofed.
7. Basement requires fill and gravel base preparation prior to placing concrete slab-on-grade. None was observed.
8. It was observed that the left front corner of the foundation wall was cracked. This seemed to be due to a combination of damage plus frost.
9. Curb box in for water valve.
10. Concrete pad for electrical transformer/service in.
11. Could not ascertain if sewer hookup was made.
12. Both water and sewer have to be extended to building unit foundation. It should be noted that electric, gas, telephone are within 20 feet of building foundation.
13. It was observed that water was present within basement area as well as exterior side of foundation wall around periphery of building unit.

NOTE: Existing conditions observed as of October 31, 1983.

Existing Conditions Observed:

1. Front porch not completed. Needs steps and landing.
2. No rear porch.
3. Curb box/water valve exposed. Not completed.
4. Trim needs to be painted.
5. Cast iron sewer line penetrating foundation wall not cemented.
6. Waterproofing foundation wall extends above grade line. Needs to be fixed.
7. Roof shingles curling/sticking up. Must be repaired.
8. Gable end of building, east side, a 2' section of eave torn off. Must be replaced. (Rake and/or soffit)
9. One large light of glass (30" x 36"  $\pm$ ) broken, rear door.
10. No exterior electrical fixture.
11. No storms, screens.
12. No gutters.
13. No shutters.
14. Gas service feed to house without gas meter. Meter is needed.
15. Front doorbell wire hanging loose, exposed to the exterior, as well as interior doorbell wire hanging loose.
16. Different finish on hardware, front entrance, whereby finish on deadbolt is polished brass and finish on lockset is bronze finish. Finished hardware schedule should be checked to verify finish and hardware.
17. It was observed that approximately 65% of the trim is completed; some base is missing; shelves, clothes poles, two sliding doors, linen closet shelves.
18. No access to attic.
19. Rough electric completed. No inspection sticker. Must be verified.
20. No evidence of perimeter footing drains around periphery of building.
21. Rough plumbing work complete.

22. Existing one-piece fiberglass tub is damaged (4" hole in unit).
23. Building has been taped, ready to receive a finish (it is assumed 3 coats were applied).
24. No interior light fixtures.
25. No handrail to basement stairs.
26. Hot water heater not in.
27. No gas, electric or chimney flue to furnace has been installed.
28. No electrical panel boxes.
29. Basement windows must be set and completed in a proper manner. One sash is missing, plus one complete unit.
30. Copper water service line in basement is in contact with cement whereby discoloration of lines is happening. Must be corrected.
31. Could not ascertain if insulation was put in walls and attic. Will check further.
32. Missing registers on heat system. Must be completed.
33. No kitchen cabinets or vanities.

NOTE: As-built conditions observed as of November 1, 1983.

Existing Conditions Observed:

1. Excavated area where curb box/water valve is located (hole in the ground) must be filled.
2. Front porch not complete/poured.
3. It was observed that evidence of damp proofing around foundation wall was found since same was exposed above grade level. Must be corrected.
4. No evidence of perimeter footing drains placed.
5. No side entrance to porch area.
6. East gable end - It was noticed that a 5' section of rake board and soffit was eliminated.
7. Exterior light fixture missing.
8. No gutters.
9. No shutters.
10. It was observed that a crack by the front porch and main foundation wall occurred.
11. Exterior trim needs painting.
12. Exterior hose bib front of building missing.
13. Basement windows not installed properly (1 frame missing).
14. Main girder not installed properly.
15. Electrical roughing partially completed. No panel box.
16. Plumbing roughing completed.
17. Furnace installed. No chimney/flue. No gas and/or electric hookup of furnace.
18. Partial duct work installed. No registers installed.
19. No hot water heater.
20. No water service in house.
21. No hand railing on basement stairs.
22. Clean out for sewer line could not be found.



23. It was noticed that basement stair tread was cracked.
24. Electrical inspection for roughing of building was made on November 15, 1982, verifying compliance of same from the New York Board of Fire Underwriters. (Copy attached).
25. Could not ascertain if insulation was placed in exterior walls.
26. Wire left exposed in livingroom which lays on floor coming out of wall.
27. Taping of sheetrock partially complete (1 coat only).
28. No trim.
29. No ceramic tile work.
30. No electric fixtures.
31. No plumbing fixtures.
32. No registers for duct work.
33. No kitchen cabinets or vanities.
34. No storms or screens for windows/doors.
35. Hole has been provided in hall ceiling we assume for access door to attic. Must be checked and completed.
36. Upper glass light cracked, front window.
37. No sewer, gas feeds to house.
38. Adjustable screw jacks laying around building proper. (Surplus)

NOTE: As-built conditions were observed as of November 1, 1983.

Inspection Report

Unit #24

Valley View Estates, New Windsor, New York

November 8, 1983

Existing Conditions Observed:

1. Rough framing/shell of house partially completed.
2. Siding incomplete; approximately 90% finished.
3. Siding below dormer window damaged.
4. Siding cut too short on gable ends.
5. Siding loose in many areas.
6. Siding installed very poorly.
7. Wooden chimney enclosure extending on roof not complete.
8. Concrete slab-on-grade by rear garage door and patio door not poured.
9. Front porch not poured.
10. Deck missing on east wall by patio door.
11. Basement casement windows not cemented in (2 windows damaged).
12. Three entrance locks missing.
13. Garage door missing. It should also be noted that the head room for this garage door seems to be too short for normal operations. Needs clarification.
14. Garage floor needs approximately 30 yds. of fill compacted to 95% compaction prior to placing concrete slab-on-grade.
15. Concrete slab-on-grade for garage floor needs to be poured.
16. No nuts/washers for anchor bolts on foundation walls have been provided. Building is secured to foundation wall strictly by gravity, at present. Nuts and washers have to be installed.
17. No backer board has been installed behind siding. It has been noted that in some areas there is backer board and in some areas backer board has been left out.
18. Front wall, left side of window in livingroom, seems to be very crooked. (Exterior wall)
19. Approximately 26 sq. ft. of flooring missing downstairs, east corner of room (material stockpiled on site).

20. No electrical roughing.
21. No plumbing roughing.
22. Main stairs do not seem to fit in opening. Condition has to be corrected.
23. Patio door locks not working. Has to be corrected.
24. Wood nailers for securing sheetrock in ceilings not in place causing bows in rock throughout ceiling area. Must be corrected.
25. Roof shingles are missing.
26. Collars in roof normally placed every third rafter missing, as well as solid bridging of ceiling beams.
27. Window screens for all casement windows and sliding doors are stock-piled on job. Some are installed, most are loose.
28. No stairs leading down to basement.
29. No concrete floor placed in basement area.
30. Front door frame loose in wall.
31. Upon visual inspection, it was noticed that the foundation wall has been damp proofed since the damp proofing material extends well above grade level. This must be corrected since it is aesthetically nonpleasing.
32. Main structural girder supported improperly. Must be corrected.
33. Pocket in foundation wall for seat of main girder has been improperly made since the exterior face of the concrete foundation wall is broken out. Condition must be corrected.
34. No evidence of perimeter drain tile around periphery of building proper is visible.
35. Roof valley and flashing of same done improperly. (No roof sheathing/ flashing installed.)
36. Siding and/or garage door jamb out of plumb/crooked. Needs correction.
37. No gutters.
38. No shutters.
39. Exterior trim needs painting.
40. It was noticed that there is presently a 10" overhang on eave of building in lieu of 12" overhang as shown on promotional literature. Also, it was observed that on gable ends there is an overhand of 6".

Inspection Report #1

Unit #24

Valley View Estates, New Windsor, New York  
November 8, 1983

Page 3.

41. We cannot ascertain if insulation was installed in walls (exterior) around periphery of building. No insulation has been installed in roof area.

NOTE: As-built conditions were observed as of November 1, 1983.

Existing Conditions Observed:

1. Block foundation wall substantially completed.
2. Northeast corner of foundation wall damaged due to either machine/equipment and/or minor settlement cracks on previous occasion. Approximately 15 block are involved.
3. Concrete footings for lally columns not in.
4. Numerous cracks in foundation wall observed.
5. Waterproofing of foundation wall done poorly.
6. Footing drains around periphery of building unit not completed, whereby pipe is missing and no gravel surround of drain tile has been completed.
7. Footing drains do not discharge to any location whereby defeats the effectiveness of relieving any hydrostatic pressure that may accumulate along periphery of foundation wall of building unit. Must be rectified.
8. Building unit not backfilled.
9. No fill/gravel base preparation for new concrete slab-on-grade in basement area.
10. Garage slab area will require approximately 25 yds. of fill compacted to 95% compaction so that the elevation will be sub-base for gravel base for slab-on-grade. Basically, you have a hole in the ground where the garage slab should be.
11. Front porch needs fill on interior side of foundation wall supporting same.
12. It was observed that water was found inside foundation, basement level.
13. Approximately 20 pieces of Durawalls were found inside foundation wall proper. (Surplus)
14. Approximately 40 blocks were left inside foundation wall (surplus).
15. Curb box/water valve is in.
16. Sewer hookup to curb line has not been found.
17. Both water and sewer have to be extended to foundation of building unit.
18. Concrete pad is in for electric transformer/service.
19. Electric, gas, telephone are within 20 feet of foundation of existing unit.
20. It should be noted that the water curb boxes are located in driveway curb cut between Unit 25 and Unit 26.

NOTE: As-built conditions were observed on October 31, 1983.

Inspection Report #1

Unit #26

Valley View Estates, New Windsor, New York

November 8, 1983

Existing Conditions Observed:

1. Concrete block foundation wall.
2. No front porch.
3. Perimeter footing drains not complete (pipe, gravel surround not in).
4. Concrete footings for lally columns improperly placed.
5. Damp proofing foundation wall incomplete.
6. Fill under concrete slab-on-grade requires approximately 15 yds.
7. It was observed that the perimeter footing drain from Unit 27 is tied into Unit 26. It should be noted that this is an improper installation. Must be rectified.
8. Approximately 135 concrete blocks were found inside foundation wall (surplus).
9. Approximately 2 lengths of PVC piping, plus 4 short pieces, were left inside foundation wall (surplus).
10. It was observed that both inside and outside foundation wall we had a dry condition.
11. It was observed that the top course of blocks were not filled solid with concrete on the east wall.
12. It was observed that one full bundle of Durawall was found outside foundation wall (surplus).
13. Curb box/water valve in for water system.
14. Could not find sewer hookup.
15. Both water and sewer have to be extended to house.
16. Concrete pad for electric transformer/service in.
17. Electric, gas, telephone are within 20 feet of building proper.

NOTE: As-built conditions were observed on October 31, 1983.

Inspection Report #1  
Unit #27

Valley View Estates, New Windsor, New York  
November 8, 1983

Existing Conditions Observed:

1. Front porch not complete.
2. Damp proofing foundation wall extends above grade level. Must be corrected.
3. An open excavated area was left for sewer line, right of front door. Should be taken care of to avoid hazardous condition.
4. Foundation footing looks like it has been undermined, left side of building.
5. It looks like perimeter footing drains have been installed but no evidence of discharge/relief to any location.
6. Left gable end 2' section of rake/soffit missing.
7. Siding work done poorly.
8. Rear deck missing.
9. Large basement window has been removed. Approximate size, 3'-0" x 3'-0".
10. Copper water line in basement in contact with concrete. Discoloration occurring.
11. Rough electrical work approximately 80% complete. No inspection sticker.
12. Rough plumbing work not complete.
13. Front door lock missing.
14. Furnace not hooked up with any of the utilities. (Electric, gas, etc.)
15. Phone cable looks complete.
16. It was observed that approximately 15 sheets of sheetrock (4'-0" x 12'-0") were left in house (surplus material).
17. Improper bracing of roof truss.
18. Wood blocking within ceiling incomplete for securing of sheetrock ceiling. Must be rectified.
19. Main level center bedroom window broken. Needs repair.

NOTE: As-built conditions observed as of November 1, 1983.

Inspection Report #1

Unit #28

Valley View Estates, New Windsor, New York

November 8, 1983

Existing Conditions Observed:

1. Concrete block foundation wall.
2. Perimeter footing drains were observed with no gravel surround done in a proper manner.
3. Perimeter footing drains had no discharge/relief so that hydrostatic pressure from water can be alleviated around perimeter of building proper. Must be corrected.
4. Concrete footings for lally columns completed.
5. Sewer lines in place within basement area under slab.
6. Perimeter footing drain leads to Unit 27. Not proper application.
7. Foundation wall has been partially backfilled.
8. One piece of PVC piping left around foundation wall (surplus).
9. It was observed that both inside and outside of block foundation wall dry condition occurred.
10. Could not find curb box/water valve or sewer hookup.
11. Concrete pad has been placed for electric transformer/service.
12. Electric, gas and telephone are within 20 feet of building.

NOTE: As-built conditions were observed on October 31, 1983.



1 1/2 x 1 1/2 in unit

FLOOR FRAMING:

Sill sealer; 2x4 wall plate; 2x8 headers and joists; 1x3 pre-cut cross bridging; 5/8 T&G sub-floor with adhesive. Laminated girder; steel basement posts as required; basement stairs with handrail and brackets.

EXTERIOR WALLS:

2x4 studs 16" o.c.; single 2x4 shoe plate; 2x4 double top plates; 1/2" insulated sheathing; windows installed.

CEILING ROOF FRAMING:

10' 6" ON GABLE

12" eave projection with flat soffit; 4/12 roof pitch; 14 gauge inter-lock plate trusses;

EXTERIOR and TRIM:

Aluminum rake and eave fascia; aluminum soffits with vents; siding and shutters vinyl.

ROOF MATERIAL:

ASTORITE

FRONT?  
SIDES?  
NOT SEEN

1/2" exterior glue plywood roof deck; 15# felt; aluminum drip edge; 36" 90# seal strip; 245# self-seal white, black or brown asphalt shingles. Hip and ridge; aluminum flashing as required; vent-a-ridge.

DOORS:

Exterior doors pre-hung with clear pine frame; aluminum sill; complete weather stripping; hardware - 1-3/4" x 3'0" x 6 # steel doors. Storm doors on all exterior doors.

WINDOWS:

BASEMENT

wood double-glazed windows as shown with white aluminum combination

Interior  
trim

Bypass closet doors set up for drywall openings. Interior doors 1-3/8" flush hung with solid knobs; 2-1/4" baseboard casing. Closet shelves, hook strips, clothes rods, door stoos, sash locks; assembled stairs with pine treads and risers with stair parts included; 1/4" plywood underlayment for kitchen baths,

#### FLOORING:

Kitchen and dining room, vinyl flooring of buyers choice of design. Bathroom be ceramic tile with marble door sills. Balance of house will be carpeted.

#### KITCHEN CABINETS:

Glenwood II per plans with postformed countertop installed, stainless steel sink and fixtures.

#### INSULATION:

3- 1/2" insulation walls and reflective sheeting (R-19); 6" and 6" for ceiling (R-38).

#### APPLIANCES:

G.E./Hot Point 18 CU Double door refrigerator  
G.E./Hot Point 30" free standing range  
G.E./Hot Point under-counter dishwasher  
G.E./Hot Point deluxe range hood

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Thursday NOVEMBER 17, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 17, 1983

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### FIELD LOG

On Site: 12:00 PM  
Off Site: 1:00 PM

Weather: Cloudy  
Temperature: 35-45 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & laborer, Corbin

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Corbin's crew spent the majority of the morning trying to locate the water main tee at the intersection of Liberty and Hancock, Test Pit 5. Pit was excavated outside the paved area to the north. Tee was not found.
2. Bill LaForge left for a meeting at M.J. Posner's office at 1:00. Corbin's crew spent the rest of the day backfilling trenches and cleaning up the excavated material from the site. No productive work for the afternoon.
3. As-Builts still not completed by Pauli.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Monday NOVEMBER 21, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 22, 1983

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### FIELD LOG

On Site: 11:15 AM  
Off Site: 12:30 PM

Weather: Sunny  
Temperature: 40-55 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & laborer, Corbin

All Day  
All Day

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Corbin's crew excavating for house service lateral outside curbline on Hancock Drive near terminal manhole. Found 4" capped lateral on northside of street serving units 23 or 24. Cap was approx. 9' below grade.
2. At this point in time, all test pits for mainline utilities have been completed. Awaiting As-Builts as they still have not been submitted by R. Pauli. G. Shaw called Pauli regarding same, and he stated that drawings would be delivered this afternoon.
3. G. Shaw telephoned M.J. Posner to update him on the status of the utility verification. Regarding additional men and equipment, no additional help will be provided in the immediate future.
4. Little activity today as lateral verification is a very slow process not knowing their location and only one crew on site.

received 8/8/84 ch

MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Friday NOVEMBER 18, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 21, 1983

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FIELD LOG

On Site: 11:30 AM  
Off Site: 12:45 PM

Weather: Cloudy  
Temperature: 35-45 Degrees

Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & laborer, Corbin  
Roy Pauli

All Day  
All Day  
AM

Equipment On Site:

1 Case Backhoe 580C

Summary of Events:

1. Bill LaForge telephoned G. Shaw at office to state that Roy Pauli was on site this morning for an hour to field check a few previous measurements. Pauli had stated to G. Shaw during this week that there was a few incorrect shots in his work that he was trying to rectify.
2. Between yesterday and this morning, Corbin's crew located the sanitary manhole in the Liberty Court Cul-de-Sac. Manhole frame and grate was approx. 3' below the pavement surface. Crew also found the tee at the intersection of Hancock and Liberty (within the paved limits), designated as Test Pit 5. No thrust block was installed behind the tee.
3. Crew returned to Test Pit 12 on Lexington Avenue and found the sanitary sewer directly under the water main. Clearance between pipes was approx. 3', and both pipes were installed in the same trench.

# Shaw Engineering

Shaw Eng. 83-064  
received 8/8/84 ph  
Consulting Engineers

182 Grand Street  
Newburgh, New York 12550  
(914) 581-3695

November 16, 1983

Alfred Cappelli Jr., Architect  
Route 52 and Lake Drive  
Hopewell Junction, New York 12524

Re: Valley View Estates  
Utility Verification

Dear Al,

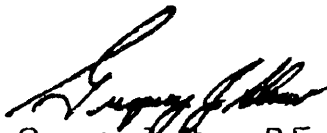
Regarding the utility verification for the above referenced project, enclosed please find our field logs for the period beginning November 3rd and ending this date.

Upon completion of locating the site utilities, and prior to testing same, we will forward to your office for review our preliminary assessment of the existing prime systems.

We trust that the format of the enclosed logs is to your satisfaction.

Cordially,

SHAW ENGINEERING



Gregory J. Shaw, P.E.

GJS:mmv  
Enclosure

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Wednesday NOVEMBER 16, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 16, 1983

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### FIELD LOG

On Site:	-	Weather:	Cloudy
Off Site:	-	Temperature:	35-45 Degrees

Personnel On Site:  
Bill LaForge, M.J. Posner

Equipment On Site:

### Summary of Events:

1. G. Shaw received a telephone call from Bill LaForge at 10:00AM stating that Corbin would not be on site today. Also at the time of the telephone call the surveyors were also not on the site.
2. G. Shaw did not visit the site this day.

Received 8/8/84 sh.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Tuesday NOVEMBER 15, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 15, 1983

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### FIELD LOG

On Site: 10:00AM  
Off Site: 1:00PM

Weather: CloudyRain  
Temperature: 35-40 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Pcaner  
1 backhoe operator & 1 laborers, Corbin  
2 surveyors, Pauli

All Day  
All Day  
11:00 to -

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Corbin's crew excavating Test Pit 3 at lower intersection of Hancock and Lexington and located 6 " watermain tee. Valve previously located is on the Hancock watermain. Excavated to the east of the tee and found the 8" x 6" reducer which coupled the 6" white and 8" green pipe. 6" watermain severely defected out of the reducer.
2. Excavated 18" deep for 20' east and west of tee located in Test Pit 3, and could not find other valves as indicated on the design drawings. We believe that the two remaining valves do not exist.
3. Subsurface excavation for Test Pit 3 revealed:
  - 2" to 3" of macadam
  - 8" to 12" of shale
  - 1' of on-site fill(approx.)
  - 3" layer of shale (2nd sub-base)
  - 2' to 3' (approx.) of on-site fill over virgin ground
  - Remarks: Exact depth of fill was difficult to ascertain as area excavated was within the existing trench line. Around valve box, depth of shale varied from 3" to 40".
4. Inspected 6" tee at upper intersection of Hancock and Lexington and noted that no thrust block had been installed behind the tee. Tee is being supported by a



stone.

5. Crew began excavating Test Pit 5 north of intersection of Liberty and Hancock for the water and sewer within the grass area. Prior to G. Shaw leaving site excavation was at a depth of 9' and neither utility was found. Entire excavation appeared to be fill material as trench sideslopes were caving into the excavation, and siding material was detected at a depth of 6'.
6. Crew will continue to excavate Test Pit 5 for the rest of the day.
7. Pauli on site obtaining As-Builts. R. Pauli promised a copy of the plotter printout tomorrow. Also, all As-Builts should be finished by November 22nd.

received 8/8/84  
sh.

MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Monday NOVEMBER 14, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 15, 1983

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FIELD LOG

On Site: 11:15AM  
Off Site: 3:50PM

Weather: Cloudy  
Temperature: 35-45 Degrees

Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & 1 laborers, Corbin  
2 surveyors, Pauli

All Day  
All Day  
All Day

Equipment On Site:

1 Case Backhoe 580C

Summary of Events:

1. Friday afternoon while continuing excavation of Test Pit 12, crew removed from trench a 55 gallon drum which had been placed as backfill material.
2. Survey crew obtaining As-Builts as they have been for the last week.
3. Corbin's crew excavating Test Pit 1 on Lexington Blvd. trying to locate water, sewer and stormsewer. Located all of the above plus the 6" PVC branch to the hydrant. Water line to hydrant is blue PVC pipe which is different from the white PVC pipe (Certain-Teed) previously located in other areas of the site.
4. Watermain located in Test Pit 1 is 8" in diameter (blue pipe) which is different from the designed 6" diameter. Sewermain is white pipe (Certain-Teed).
5. Subsurface excavation for Test Pit 1 revealed:
  - 2" of macadam
  - 10 to 12" of shale
  - 2' of on-site fill(approx.)
  - Remarks: Exact depth of fill was difficult to ascertain as area contained trenches for 4 utilities which had been previously backfilled.
6. A length of water pressure pipe was found near Route 32 with the following designation:

- FM GP1801151BU 8" CI JM RT PVC 1120 CL150 DR18 T600 NSF-PW AWWA C900

7. Crew excavated Test Pit 2 on Lexington Blvd and found 8" water and 8" sanitary sewer pipe. Stormsewer was not located due to locations of nearby catchbasins. The sanitary sewer pipe is now green pipe (Johns-Manville) which is different from the white (Certain-Teed) pipe previously uncovered. During excavation of sanitary sewer, 2 copper water services (to models) were exposed directly over sewer with 2 large rocks on top of the copper lines.
8. Subsurface excavation for Test Pit 2 revealed:
  - 1 1/2" to 2" of macadam
  - 6" to 8" of shale
  - 1' of on-site fill(approx.)
  - 7" layer of shale indicating the initial roadway bed
  - Remarks: 2 layers of shale indicate a raised roadway from that originally contemplated.
  - Depth of virgin ground not apparent.
9. Heavy rains during the entire day, productivity is very slow.
10. No additional equipment, materials or tools on site as requested by G. Shaw over a week ago.

Received 8/8/84  
SA

MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Friday NOVEMBER 11, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 11, 1983

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FIELD LOG

On Site: 11:30AM                      Weather: Rain  
Off Site: 1:30PM                      Temperature: 40-50 Degrees

Personnel On Site:

Bill LaForge, M.J. Posner                      All Day  
1 backhoe operator & 1 laborers, Corbin                      All Day

Equipment On Site:

1 Case Backhoe 580C

Summary of Events:

1. Yesterday afternoon, Corbin's crew performed the following work:
  - Excavated Test Pit 21 on Saratoga Court (unpaved) and located end of 4" water main directly under blowoff chamber. No thrust block behind cap, only stones.
  - Excavated Test Pit 20 yesterday on Saratoga Court and located water and sewer in the unpaved Cul-de-Sac.
  - Excavated Test Pit 13 at upper intersection of Hancock & Lexington and located 6" tee for the watermain. Immediately uphill from the tee on Lexington a 6" valve was exposed.
  - Completed excavation of Test Pit 12 for the purpose of identifying previously excavated utility. The utility uncovered was a 6" watermain, and the sanitary sewer is still missing.
  - Resumed excavation at Test Pit 9 at intersection of Lexington & Washington for the purpose of locating 4" valve. Crew did not find the valve.
2. This morning, Corbin's crew excavated Test Pit 10 in Washington Court (unpaved) and located water and sewer mains.

3. Subsurface excavation for Test Pit 13 revealed:
  - 2" of macadam
  - 4" to 6" of shale
  - 1' of on-site fill(approx.) over virgin ground
  - Remarks: Exact depth of fill was difficult to ascertain as excavation was performed in an existing trench.
4. As G. Shaw arrived on site, Corbin's crew excavating Test Pit 4 at lower intersection of Hancock & Lexington. Crew has uncovered this morning 6" watermain in trench and is excavating for stormsewer. No sanitary sewer has been design within this area.
6. Subsurface excavation for Test Pit 4 revealed:
  - 2 1/2" of macadam
  - 6" of shale
  - 1' of on-site fill(approx.) over virgin ground
7. Crew completed excavation of Test Pit 7. Crew located stormsewer directly under the 6" watermain, and appears to have been installed in the same trench as the water. Approx. 8" clearance between the two utilities.
8. Left site at 1:30 due to heavy rains. Rains continued for the rest of the afternoon.

# Shaw Engineering

*received 8/8/84 sh*  
Consulting Engineers

162 Grand Street  
Newburgh, New York 12550  
(914) 561-3685

October 28, 1983

M.J. Posner Construction Co., Inc.  
165 Route 208  
New Paltz, New York 12561

Att: Martin J. Posner

Re: New Windsor Sewer Facilities  
Servicing Valley View Estates

Dear Marty,

Pursuant to our project meeting of October 27, 1983, please consider this correspondence a confirmation of our discussion regarding the Town of New Windsor's contractual obligation in providing sanitary sewerage facilities to Valley View Estates.

As stipulated in the Agreement between Ken Campbell Enterprises, Inc. and the Town of New Windsor, which was transmitted to your office on October 22, 1983, approximately 85 units will be permitted to discharge into Sewer District No. 5, of which the nearest manhole location is at the intersection of Route 32 and Wall Place. The balance of the project, now consisting of approximately 90 units, would discharge to Sewer District No. 11A. The nearest manhole location within this sewer district, without easement acquisition, is located at the intersection of Route 32 and Willow Lane, approximately 1250 feet south of Valley View Estates.

As explained by Paul V. Cuomo, P.E., Engineer for the Town of New Windsor, the limitation of 85 units is due to the overtaxed hydraulic capacity of the existing sewer lines within Sewer District No. 5. While we can appreciate the reluctance of New Windsor to substantially increase the flow in Sewer District No. 5, the discharging of wastewater from Valley View Estates to Willow Lane is in direct conflict with the sewer design prepared by Land Design Associates, and the general understanding of the project.

While the sewer line construction cost to Willow Lane was unanticipated, its impact on the Valley View's site development cost is compounded by the fact that the sewer line is to be installed within the State Highway R.O.W. and involves a Conrail Railroad Crossing. Also, a pumping station and force main may be required, in lieu of the gravity sewers, depending upon the location and topography of the route as dictated by the D.O.T. and/or Conrail.

To ascertain the severity of this problem, we have prepared a preliminary construction estimate for each of the above referenced alternates.

Alternate No. 1 - Gravity Sewers

Gravity Sewers within NYS ROW	1150 L.F. @ \$60 per foot	\$69,000
Conrail Railroad Crossing	100 L.F. @ \$400 per foot	<u>40,000</u>

Alternate Total \$109,000

Alternate No. 2 - Pumping Station/Force Main

Pumping Station		\$40,000
Force Main within NYS ROW	1150 L.F. @ \$60 per foot	69,000
Conrail Railroad Crossing	100 L.F. @ \$400 per foot	<u>40,000</u>

Alternate Total \$149,000

While the Agreement with the Town of New Windsor does not designate the intersection of Route 32 and Willow Lane as our interconnection with Sewer District No. 11A, this location was confirmed by Tad Seaman, Attorney for the Town of New Windsor, in my conversation with him on October 27th.

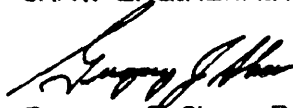
Upon review of the documents on file at the Town Engineer's office, another route possibly exists, whereby our interconnection with the Town's sewerage system would be upstream of Sewer District No. 11A. This interconnection would be located on Mr. Arthur Maharay's property which is adjacent to, and immediately south of Valley View Estates. While an easement would have to be secured from Mr. Maharay, the benefits of this route are the elimination of the Conrail crossing and a substantial reduction of the pipeline installation cost.

Outside of obtaining the easement, through either negotiation or possibly through condemnation by the Town of New Windsor, the only other major encumbrance is discharging wastewater from the above referenced 90 units by gravity without the installation of a pumping station. This pumping station may result from insufficient slope from that point on the Valley View site to which 90 units are tributary, or the topography of Maharay's property.

We trust that the above sufficiently addresses the available options and their respective construction costs, and we shall pursue the possibility of discharging into New Windsor's sewer system through Mr. Maharay's property. Should additional information become available, we will notify you office accordingly.

Cordially,

SHAW ENGINEERING

  
Gregory J. Shaw, P.E.

GJS:mmv  
cc: A. Cappelli

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Wednesday NOVEMBER 30, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: December 1, 1983

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### FIELD LOG

On Site:	9:00 AM	11:30 AM	Weather:	Cloudy
Off Site:	10:00AM	4:15 PM	Temperature:	35-40 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner	All Day
1 backhoe operator & laborer, Corbin	All Day
2 surveyors, Pauli	11:30 to -

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Pauli on site to re-shoot missing or "busted" information previously obtained. After G. Shaw reviewed "As-Built", 2 additional test pits were excavated on Lexington & Hancock to determine a more precise utility separation clearance. Also TP 1 & TP2 were re-excavated for Pauli to determine designations of utilities.
2. No "As-Built" plan submitted to G. Shaw this date, as they will be delivered tomorrow.
3. Corbin's crew excavating house sewer laterals in addition to test pits today.
4. Al Cappelli on site in afternoon for meeting with G. Shaw & F. Gibney to review present status, progress and problems of the job. G. Shaw stated that progress of utility verification was severely behind schedule due to delay in "As-Builts" and more importantly Vara Drainage not being on site. G. Shaw emphasized the lack of equipment and skilled laborers to perform the water and sewer testing. This meeting was from 1:30 PM to 4:15 PM.



## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Tuesday NOVEMBER 29, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: December 1, 1983

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### FIELD LOG

On Site: 9:00 AM  
Off Site: 10:30 AM

Weather: Cloudy/Rain  
Temperature: 35-40 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & laborer, Corbin

All Day  
All Day

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Pauli not on site this morning although his crew chief stated they would be yesterday.
2. Corbin excavating house sewer laterals.
3. G. Shaw had a conference with F. Gibney this morning to update him on the status of the job and the problems without Vara Drainage being on-site.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Monday NOVEMBER 28, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 29, 1983

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### FIELD LOG

On Site:	8:30 AM	11:00 AM	Weather:	Rain
Off Site:	9:45 AM	2:30 PM	Temperature:	35-40 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner	All Day
1 backhoe operator & laborer, Corbin	All Day
3 surveyors, Pauli	11:30 to -

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Pauli's 3 man crew did not arrive on site until 11:30. Pauli's men with the assistance of G. Shaw & B. LaForge reviewed As-Built information obtained to date and plotted utilities. Crew brought a printout at 1"=20' scale. No printout information available for retention ponds and Route 32. Also printout was missing many subsurface utility shots that were locked in their computer. Crew worked in model reviewing field notes and plotting missing information which was noted in their field logs.
2. From the As-Built printout, approx. 50% of Retention Pond E is on NYS ROW.
3. Rained all day. Corbin excavating house laterals in grass area of Liberty Court and other unpaved areas.
4. Telephoned M.J. Posner to suggest abandoning the house lateral excavations and begin flushing and testing the sewer lines, as we are continuing to fall behind schedule. No equipment presently on site to begin this task. He said he would try and proceed on this matter.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Friday NOVEMBER 25, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 25, 1983

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### FIELD LOG

On Site: 12:00 PM  
Off Site: 1:00 PM

Weather: Snow  
Temperature: 30-35 Degrees

Personnel On Site:  
Bill LaForge, M.J. Posner

All Day

### Equipment On Site:

### Summary of Events:

1. Snowing all day, no one on site except Bill LaForge. Rained for the entire day and night previous.
2. Bill LaForge informed G. Shaw that all 10 laterals have been found on Washington Court. All laterals have caps installed, although not all laterals have been installed past the curb lines.
3. Yesterday Corbin also excavated 2 lateral on Saratoga Court. Caps were installed on 4" laterals.
4. G. Shaw suggested to LaForge that once completed As-Builts are submitted by Pauli, and a determination is made on the water lines, that the verification of house laterals be abandoned and the operation of flushing and testing the sewer lines should begin. To continue excavating laterals will put our efforts further off schedule.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Wednesday NOVEMBER 23, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 25, 1983

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### FIELD LOG

On Site: 12:15 PM  
Off Site: 3:45 PM

Weather: Cloudy  
Temperature: 35-45 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & laborer, Corbin

All Day  
All Day

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. G. Shaw on site today for meeting of consultants called by A. Cappelli at the request of G. Shaw. Consultants at the meeting were G. Shaw, A. Cappelli & R. Pauli. The purpose of the meeting was to review "Preliminary As-Builts" submitted by Pauli and outline the deficiencies.
2. Pauli will have his men on-site Monday with entire printout of "As-Builts" and the printout will be reviewed on-site by G. Shaw. Any information missing or incorrect will be immediately obtained by Pauli to finalized his work.
3. Pauli assured G. Shaw that his personnel will be on site to finalize drawing until I am satisfied with the work. Assuming this additional work can be done in two days, the final mylar drawings at 1"-20' scale would be submitted by Friday December 2nd.
4. G. Shaw discussed with A. Cappelli that due to the change in scope of Shaw Engineering's services, and also that Vara Drainage is not on site, that the utility verification report will not be completed by December 8th. Pauli will not have his work completed until December 2nd, and then the testing of sewer lines will hopefully begin. A. Cappelli was notified that the existing equipment and manpower of Corbin was not adequate to begin testing the lines.
5. Corbin's crew on finishing excavating laterals on Washington Court.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Tuesday NOVEMBER 22, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 22, 1983

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### FIELD LOG

On Site: 12:00 PM  
Off Site: 1:30 PM

Weather: Sunny  
Temperature: 40-55 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & laborer, Corbin

All Day  
All Day

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. G. Shaw reviewed with Bill LaForge, Roy Pauli's As-Builts which were delivered yesterday afternoon. As-Builts of utilities were not completed as many of the utilities located during the excavation of test pits were not indicated. G. Shaw & B. LaForge prepared a list of utilities which were exposed during excavations but not indicated on the As-Builts.
2. G. Shaw telephoned A. Cappelli to notify him of the status of the As-Builts. A meeting was set up for tomorrow, November 23rd, with Cappelli and Pauli to resolve the incomplete drawings and set a date for Pauli's work to be complete.
3. Corbin's crew excavating the 8" sewer line on Washington Court for the purpose of locating the mainline fittings. Upon finding the fittings, the crew began excavating along the 4" lateral to find its termination point. While Washington Court will have 10 houses, only 5 main line fittings were installed.
4. 8" sewer pipe installed with approx. 4' of cover. Material excavated in the trench was on-site fill with high organic content. A strong odor was noticeable due to organic decomposition.
5. Productivity very slow due to equipment and manpower at hand.

## MEMORANDUM

TO: File

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Field Log of Friday NOVEMBER 18, 1983  
Valley View Estates Utility Verification  
Project No. 8323 A

DATE: November 21, 1983

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### FIELD LOG

On Site: 11:30 AM  
Off Site: 12:45 PM

Weather: Cloudy  
Temperature: 35-45 Degrees

#### Personnel On Site:

Bill LaForge, M.J. Posner  
1 backhoe operator & laborer, Corbin  
Roy Pauli

All Day  
All Day  
AM

#### Equipment On Site:

1 Case Backhoe 580C

#### Summary of Events:

1. Bill LaForge telephoned G. Shaw at office to state that Roy Pauli was on site this morning for an hour to field check a few previous measurements. Pauli had stated to G. Shaw during this week that there was a few incorrect shots in his work that he was trying to rectify.
2. Between yesterday and this morning, Corbin's crew located the sanitary manhole in the Liberty Court Cul-de-Sac. Manhole frame and grate was approx. 3' below the pavement surface. Crew also found the tee at the intersection of Hancock and Liberty (within the paved limits), designated as Test Pit 5. No thrust block was installed behind the tee.
3. Crew returned to Test Pit 12 on Lexington Avenue and found the sanitary sewer directly under the water main. Clearance between pipes was approx. 3', and both pipes were installed in the same trench.

MEMORANDUM

TO: Martin J. Posner  
M. J. Posner Construction Co. Inc.

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Valley View Estates, Inc.  
Approval of Site Plan Modifications by the Town of New Windsor Planning Board at the May 11, 1983 meeting.

PROJECT: SE Project No. 8306

DATE: May 13, 1983

*6/8 Telcon. w/ Posner 10:30 am  
Re: Myler drawing must be  
filed w/ County Clerk's  
Office.*

Background Information:

At the April 18, 1983 Planning Board meeting, 6 weeks after our initial presentation, a determination was made by the Board that the approval previously granted in 1977/1980 for the above referenced project was for a subdivision. Although the subdivision approval was not in conformance with the regulations of the Zoning Ordinance of New Windsor, the fact remained that the project was approved as such. The importance of this decision was that it provided a vehicle to modify the lot lines of the building units which are a major concern for the project's marketing and financing.

This point established, it was incumbent upon the Owner to submit to the Board a written application to modify the approved Site Plan based upon the new site improvements which deviate from the approved drawings.

Summary of May 11, 1983 Planning Board Meeting:

At the above referenced meeting, this writer formally presented before the Planning Board a written application to modify the Site Plan/Subdivision Approval granted by the Board in 1977/1980. This application dated April 27, 1983 presented a list of Modifications which identified the proposed revisions to the approved plans. While the number of revisions were substantial, to designate the drawings as a new submission would have voided the previous subdivision approval discussed above.

\* With the Planning Board accepting the modifications to the Site and Utilities Plans, the project now has final approval for the design concept and site utilities as indicated on the April 13, 1983 drawings. This approval, independent of the status of the retention ponds and Stop Work Order, will allow the issuance of building permits for the entire project without further review by the Planning Board. The only encumbrance remaining with the Town of New Windsor is a variance from the Zoning Board of Appeals for Unit 13 which does not have the required setback of 15 feet from the project's boundary line.

With reference to the Stop Work Order, the reinstatement of the existing building permits and issuance of the new permits are contingent upon the installation and satisfactory operation of the Retention Ponds "D" and "E". Therefore it is imperative to proceed with the construction of the ponds as soon as possible. As the project has not received NYSDOT approval for the ponds, this agency's approval should be obtained prior to construction.

Although the Planning Board's resolution allows the resumption of construction, Certificates of Occupancy will not be issued until the approvals of additional regulatory agencies are obtained. The following Agencies and their respective approvals will have to be obtained prior to or during the construction of the building units:

- |                                  |                       |
|----------------------------------|-----------------------|
| 1. N.Y.S.D.E.C.                  | Sanitary Sewer System |
| 2. Orange County Dept. of Health | Water System          |
| 3. Orange County Dept. of Health | Subdivision           |

While the modifications should not have been accepted until all agency approvals had been obtained, the project now has the opportunity to resume construction at an earlier date. Proper scheduling of Agency approval is imperative in order to close on a building unit. Until the above Agencies are satisfied, the project will not be able to obtain a C. O. for any unit.

The last remaining item with the Planning Board is to present before them, for their signature, a mylar drawing of the Site Plan with the additional subtitle: "Subdivision - Zero Lot Lines".



MEMORANDUM

TO: Martin J. Posner  
M. J. Posner Construction Co. Inc.

FROM: Gregory J. Shaw, P.E.  
Shaw Engineering

SUBJECT: Valley View Estates, Inc.  
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1. N.Y.S.D.E.C.
2. Orange County Dept. of Health
3. Orange County Dept. of Health

Sanitary Sewer System  
Water System  
Subdivision

While the modifications should not have been accepted until all agency approvals had been obtained, the project now has the opportunity to resume construction at an earlier date. Proper scheduling of Agency approval is imperative in order to close on a building unit. Until the above Agencies are satisfied, the project will not be able to obtain a C. O. for any unit.

The last remaining item with the Planning Board is to present before them, for their signature, a mylar drawing of the Site Plan with the additional subtitle: "Subdivision - Zero Lot Lines".

*Received  
July 16, 1984  
sh.*

*Response  
attached 7/15*

ALVIN GOLDSTEIN  
ATTORNEY AT LAW  
HIGH STREET  
P. O. BOX 491  
CHESTER, NEW YORK 10918  
  
(914) 469-2020

July 13, 1984

Planning Board of the  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12550

Re: Valley View Development Corp.  
(formerly Ken Campbell  
Enterprises Inc.)

Gentlemen:

When I attended numerous Planning Board meeting as well as conferences with the Town, Town Attorney and principals involved, it has always been represented by the Planning Board and the members of the Planning Board including and especially the Building Inspector Patrick Kennedy, that upon completion of the retention ponds in accordance with the approvals of the D.O.T. the stop work order would be removed. These representations are on the record and a part of the Planning Board minutes.

I am advised that the retention ponds have been approved in accordance with the D.O.T. after permit issued and that at the Planning Board meeting of July 11, 1984, Mr. Kennedy and the members of the Planning Board raised all kinds of other and new objections as requirements for the removal of the stop work order in breach and violation of the previous promises, agreements, representations and statements made by the Planning Board and the Town Building Inspector, Mr. Kennedy.

My client has expended large sums of money and is continuing to do so in conformance with the previous agreements of the Planning Board and my client now feels that there has been a breach of agreement as well as breach of good faith on the part of the Planning Board, Town and Building Inspector. I, therefore, request that you have a special meeting at which time these matters can be ironed out and my client can be permitted to proceed on the original agreements and promises made by the Planning Board.

ALVIN GOLDSTEIN  
ATTORNEY AT LAW  
HIGH STREET  
P. O. BOX 491  
CHESTER, NEW YORK 10918

(914) 469-2020

Planning Board of the  
Town of New Windsor  
July 13, 1984  
Page 2  
Re: Valley View Development Corp.

In the interim, we would like the stop work order removed without continuing limitations in accordance with the original agreement.

Would you please respond for the scheduling of an early meeting upon receipt of this letter.

Very truly yours,



ALVIN GOLDSTEIN

cc: Andrew Krieger, Esq.  
Mr. Shabse Gordon  
Mr. Frederick Gibney  
AG:dd



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

July 30, 1984

ROBERT-MARK  
Windsor Highway  
Vails Gate, N. Y.

Attn: Mr. Fred Gibney

Re: The Commons (Valley View Estates) Stop Order

Dear Fred:

Perusant to our phone conversation of July 26, 1984, the folling is a list of what I require to lift the present Stop Order.

A. The drainage basins at the front of Section I, plus all drainage facilities in Section I working along with said basins must be complete per the design of the New York State Department of Transporation. This is part of the conditions set by the Planning Board to sign the subdivision map.

We realize that a letter from the D.O.T. has stated these ponds are complete, but the Planning Board and Town Engineer have not yet been presented with a copy of that design. We don't know if the D.O.T. took into consideration the drainage facilities leading into the drainage basins or just those basins.

The Planning Board, the Town Engineer and myself have been asking for the design data for over 1½ years, back when Mr. Campbell owned the property and we still have not seen anything.

I can't believe that you would think that after all this time, and since the drainage is supposed to be complete, that you would expect the Planning Board to sign the subdivision map without knowing what the design was of what they signed.

B. The Stop Order cannot be lifted until the Planning Board is satisfied and the mylar is signed by the Board and filed by the owner.

C. Since the meeting of the conditionalapproval, we have become very much aware of the problems with the utility mains previously installed. We have again been asking for a list of those problems and the design and plan of action which will be taken to correct all the utility problems plus the road problems. Again, the fact that we have received no information is the reason for the town insisting on a bond for said public improvements.

ROBERT-MARK

Attn: Mr. Fred Gibney

July 30, 1984

D. I, as Building Inspector, will not lift the Stop Order until I do a complete inspection of all present structures. I was told that you have had an engineer do a study of all the structures and have prepared a list of what must be done. And again, I have not received this information that I was promised.

E. The Stop Order for the house presently requiring a variance will not be lifted until that variance is secured. This again is a situation that you have been aware of for over a year and have done nothing to correct.

This project was shut down predominately due to the total lack of response to proper procedure, the lack of concern with what the building department, the town engineer and the planning board asked of the owner, extremely poor construction procedures and the expression by the former owner that there was no way we could hold up this project.

The town to this point feels that all these conditions still exist and insists that the present owner and developers show that they are capable and willing to do the job as it should be done.

As the conditions above show, I have personally seen nothing that would indicate to me that anything is being done properly.

The conditions listed to lift the Stop Order are relatively simple to comply with. I find it hard to believe these items, in all this time, have not been complied with or that the developer would feel that we at this point, could or would forget about them.

If the developer is not willing or able to make an all out effort at this point to comply, I have no intention on letting this job continue until someone will comply.

If you have any questions, please contact me at your earliest convenience.

Very truly yours,

  
Patrick T. Kennedy, L. S.  
Bldg./Zoning Inspector

PTK/mfb

cc: Mr. John A. Petro, Supervisor  
Town Board Members  
Town Engineer, Paul V. Cuomo, P. E.  
Attorney for the Town, Tad. Seaman  
Planning Board Chairman, Henry Reynolds ✓

NEW WINDSOR PLANNING BOARD MEETING  
SPECIAL MEETING  
TOWN HALL  
MONDAY, APRIL 18, 1983 8:00 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN HENRY VAN LEEUWEN, LAWRENCE JONES,  
ERNEST SPIGNARDO, PHILIP INFANTE, HENRY  
REYNS, AND HENRY SCHEIBLE.

BOARD MEMBERS ABSENT: CARL SCHIEFER

OTHERS PRESENT: PETER GARRISON, ORANGE COUNTY PLANNING DEPARTMENT  
PAUE V. CUOMO, P.E., PLANNING BOARD ENGINEER  
ANDREW S. KRIEGER, PLANNING BOARD ATTORNEY  
SHIRLEY B. HASSDENTEUFEL, SECRETARY

tape 274 both sides

Chairman Van Leeuwen called the special meeting of the Planning Board to order and presided over same.

Atty. Goldstein: Thank you for the special meeting. I would like the Board to understand that I am not here to criticize. I don't wish to discuss legal aspects of past history. The main reason for this meeting is we have an emergency in re: to monies people are asking for. The Banks, sub-contractors, and what have you. We are here to revise 1980 plan which was approved by the Board. I am advised by Mr. Shaw that the site submitted is 90% of 1980 approved plan. The main difference deals with lot lines and retention ponds.

Mr. Gordon, the owner and developer is here this evening.

Mr. Shaw will present the revision of the 1980 approved site plan. We are asking for Preliminary approval with guide lines of what the Planning Board would require for Final Approval.

Atty. Krieger: In reviewing the provision of State Law and Town Code: You are now taking position that is a revision. Our Code uses modification. First of all I have to remind you that the Code requires a written request which you don't have.

Since you are seeking preliminary approval I have to make you aware of the fact that in terms of binding (noise) upon this Board which you are asking for there is no legal authority wither in the State or Town Code. So if you get an expression of approval. Since there has been talk of law suit. I just want you to understand the limits of authority of this Board. For any modifications there is no limitation. For any modification you must show they were due to unforeseen circumstances, that they are necessary, (noise) to location and design. That they were in the spirit of intent of the Boards original approval and they they are in the spirit and intent of regulations. I am going to advise the Board at this point that that there is not a written request but it does not prevent hearing your presentation and so forth. It would have to be a written request and no form is specified so I assume a letter would be sufficient. There must be a written request involved.

Atty. Goldstein: I could hand write a written request before the meeting is over this evening. I have no intentions of using legal aspects. Revision is for necessity to correct mistakes that were in the 1980 site plan. Without going into whose mistakes, why they were done, who is at fault this is a request to make a better site plan.

Mr. Shaw: At the last meeting ( site placed on board), I showed a revised drawing of 1980 map. We are requesting preliminary approval of Section 1 and 2, with conceptual approval for the remainder. As you can see we are providing lot lines around buildings of 4 ft. on sides and 10 ft. in the rear. Retaining ponds are the same. Storm sewer complete for section 1 and 2. If we go to utility sheet, you will see storm sewer is complete. I would like to throw this to the Board if you have any questions. You have had a few days to digest some of the information on drawing rather than go through a speech you have heard on Wednesday.

Atty. Krieger: I know it was not your intention to go through legalities involved. I feel at this point because of the vagueness that is going on. I have to ask specific questions. There is talk of preliminary approval, talk of new site plan. Are you using it as it appears in connection of approval of a new site plan or as it appears in another sense?

Atty. Goldstein: I am using it in another sense if you can't have preliminary approval of an application of a site plan that has been prior approved.

Atty. Krieger: There is a mandatory provision in State Law which says when you present a preliminary plat for approval there must be a Public Hearing. That is why I am concerned about the word preliminary. If presented as a preliminary it can only be treated as a new section and this Board has no decession under Town Law #276 to other than Notice of Public Hearing and I think that would have extremely adverse effects.

Atty. Goldstein: Why don't we call it just a final approval subject to what ever conditions the Planning Board imposes.

Atty. Krieger: The Code only if you are talking in terms of modification. The only word you need use. I think it must be clear.

Atty. Goldstein: We will call it modification.

Chairman Van Leeuwen: Any questions?

Mr. Jones: Did you say the storm drainage was in?

Mr. Shaw: No, I said on page 2 for section 1 and 2 is complete.

Mr. Jones: A question. Are we suppose to look the other way as far as the retention ponds are concerned and let you finish Section 1 and 2 and forget the retention ponds?

Mr. Shaw: By no means.

Mr. Jones: That is the way it sounds to me.

Mr. Shaw: I don't think there is any change. I think the commitment Mr. Gordon made to Mr. Goldstein on when construction resumes is to immediately start retention ponds. They are the first on the list. They will be completed before construction resumes on rest of project.

Mr. Jones: Did this Board ever refuse to do anything until retention ponds were done? All we wanted was retention ponds done. You are painting us as bad guys.

Atty. Krieger: Again, for clarification. You want to modify specs on retention ponds and location specifications.

Mr. Shaw: Minor work was done since 1980 map. I want to include retention ponds. Most substantial change for 1980 is asbuilts locations and lot lines.



Atty. Krieger: Since you have a site plan approval it is necessary to detail exactly the modifications you are making. If you want to rely on site plan approval you can't present a map as you would initially and say whatever is on there that is different and we want you to change. Not and call it a modification. If you want to go into the modification statue you at least have to advise the Board of what it is you are seeking to have modified. If it is a retention pond; you say this is what is on this and this is what we want changed. If a retention pond - List changes. Some house locations are different. No many but there are a few occasionally. As you say, asbuilts are different. If you are going to deviate from site plan you have to detail what you are seeking. This is to avoid presenting another map. Then we have to go into new procedures. You only can get what you ask for.

Mr. Shaw: If you are looking for a list right now, addressing difference, I do not have.

ATTY. Goldstein: Can you state what they are.

Mr. Shaw: 1. Retention ponds  
2. Asbuilt locations of building  
3. Lot lines  
4. Re-location of catch basins and storm piping.

Atty. Krieger: Before final when you put together your written request the Board can only grant that which is specifically asked for in written request on modification application.

Mr. Shaw: Are my hands tied that I have to address each and every modification. If they aren't address by myself that they are not considered final.

Atty. Krieger : They are necessary for each modification. Application for modification at any time. If you know of a modification specify ask for it. Board can only grant on each modification.

Chairman Van Leeuwen: The biggest problem is lot lines. Four feet and ten feet. Lines around housas. Can you tell us why you must have four and ten feet?

Atty. Goldstein: The plan as a subdivision type requires the conveyance out in fee or by deed. Original 80 lots should have had lines. Lot lines of 4 ft. side and 10 ft. in the rear is to give owner a small amount of area to do the everyday amount of things. Like washing windows, cleaning drains, things of that type of nature.

Chairman Van Leeuwen: Is the FHA or lender forcing you into this? The houses that have been sold - have they been sold with lot lines around houses or common area?

Mr. Gibney: They were sold with land. HUD call land with house.

Chairman Van Leeuwen: We have a Code to go by. If we approved this it would be illegal.

Atty. Krieger: In 1980 original - no lot lines. It was wrong. It was signed. It is water over the dam. That's it. It is right in the sense that should have been decided in 1980. It wasn't - it's done.

Atty. Goldstein: The Board in 1980 -(77) granted an approval. I don't want to discuss. I don't want to discuss legal or not. It was done.

There were houses sold with lots. There were building permits. Builder went ahead and put up houses.

We are asking for an extension of what should have been done in 1980. If I had been here then this would not have happened. It would have been done better.

Atty. Krieger: Regardless of what the 1980 plan was signed. They are seeking a modification.

Chairman Van Leeuwen: There were no lot lines on approved 1977 or 1980 map.

Atty. Goldstein: That was a mistake. We are trying to correct that mistake. You must have boundaries. I believe contract were sold out with more than 4 ft. and 10 ft.

Chairman Van Leeuwen: We can not create an illegal subdivision. We have no code to go by.

Mr. Spignardo: We would be forming illegal lots with no access. The only thing we can do if you want lots is to transfer land under the house.

Chairman Van Leeuwen: We were told all lands were one parcel.

Atty. Goldstein: Is there anything in Code - Conveyance out in site plan approval? Conveyance out of land within the boundaries of the building.

Atty. Krieger: The Code is in my review of State Law and the Code speaks only in terms of lots. You may have a lot that is coterminous with the building. From legal stand point it is an important point that has been raised. If the prior approval in 1980 was an approval to allow you to convey out what is under the building. I have seen language in the minutes that seems to indicate that is what was intended.

Atty. Goldstein: I have read same minutes and I don't see that. What I am saying is that the theory of conveying out the land underneath the building and the theory of conveying out 4ft. on sides and 10 feet in rear is the same theory. The logic behind one is the same logic behind the other. The only difference is that I and I have advised my client, Mr. Gordon that I know the Board is do dead set against deeding out large areas of property around the buildings that I advised my client - "don't even ask for it" even though the theory is the same in that regard as regarding what is underneath the building but because we wanted (whether you believe it or not) accomodate and work with the Board. We wanted to be reasonable. We never asked for any lot lines beyond the 4 ft. and 10 ft. Now there is no question in my mind that the theory is the same and if you can grant one, you can certainly grant the other and you could grant more but we are not asking for we don't want to upset the Board. And the Board is upset.

Chairman Van Leeuwen: It isn't that the Board is upset.

Atty. Krieger: I don't agree that the theory is the same for this reason. One of the tests in a modification is that the modification has to meet the spirit of intent of the Boards approval. If you take the position that is what 1980 meant. I think it is a far different argument

if you come in and say, "I am not trying to tell you what position to take". If you came in and said "I want to add a little land to it". That is a different argument as far as spirit and intent of the Board to say "I want to add a little then to say I want to add a  $\frac{1}{2}$  acre." A little land might meet more easily than a lot.

Atty. Goldstein: I was not here in 1980. There was a confused understanding in 1980. We have a mutual mistake by builder and the Board.

I feel it is a better plan. The fact of giving land around the building - 4 ft. side and 10 ft. back is a better thing. A person can barbecue on their own land. If you have common areas in back of the house neighbors could have a party behind another neighbors house, or play music, or have a game of catch. Not for us for I am not going to live there.

Mr. Spignardo: The Association Rules would take care of that.

Atty. Goldstein: You would need a policeman. How could you enforce it?

Mr. Spignardo: It is done in every Condominium Site in the Country.

Chairman Van Leeuwen: You are asking us to approve something we can not approve. If you will look at the 1980/77 you will see that there are no lot lines around those houses. Only drawing of home.

Atty. Goldstein: If you can approve one, you can approve the other.

Mr. Infante: I think we could approve it. A 4 ft. and 10 ft. is going to upset the Code Book that much.

Chairman Van Leeuwen: Do you want to write pages in the Code Book?

Atty. Krieger: There was confusion in 1980 to convey land under the house. If you believe that the Board has the power to modify the lot lines. If you don't believe it was intended to convey land under to house then there was no lot lines. You can't modify something that wasn't there, and in essence you would as the Chairman says be rewriting the Code Book.

Whether or not you can modify to increase the lot lines. That is the question that you come down to.

Atty. Goldstein: The issue goes, Is it a subdivision or Condominium plan? There is no question that it is a subdivision. Subdivision by the legal definition means land conveyed by metes and bounds description so that if you are going to give the land and lot lines under the house you certainly have the authority and discretion and power to expand by 4 ft. I think if you speak to your Engineer or perhaps the County representative.

Mr. Infante: I assumed when Phil Crotty mentioned the outside coat of paint we were conveying land under the house. Also if they extended the structure it would include 10ft. in the rear of the house. He would create a structure that would give him a 10 ft. line automatically because it would be included in structure. I find no injury to site plan by adding 4 ft. to the house.

Chairman Van Leeuwen: There is a problem. If you do that we have to call it a subdivision. A complete new ball of wax. All the way through. Am I right or wrong Councilor?

Atty. Krieger: I have seen sufficient evidence to establish the fact as Mr. Goldstein says it is a subdivision to call this a subdivision. That is what it is. I finally looked it up and in my mind that is what it is. It is a subdivision which quite frankly doesn't comply with the regulations and there is a huge laundry list of stuff it doesn't comply with. That is why I go back to the Provision of modification. I keep harping on it because it is important. The fact of the matter is if the Board made a mistake in granting the subdivision and you might not do the same now. Right or wrong or indifferent he has vested rights in it. If it can be said that he is modifying it, there is something wrong, he is entitled to come in and ask to do that. If it is a new plan you have to start from square one.

It is important to determine that this is the land under the house and so you know you have something to modify. If you don't convey the land under the house you have no choice.

Peter Garrison: My concern is more the nature of are you going to treat this as a subdivision. Subdividing of land with a public street. Each lot must have access to a public street. As I see it a number of units could not conform on present layout.

Atty. Goldstein: The problem is - The Town Planning Board Attorney has call it a subdivision. Building permits were issued as a subdivision. We are looking for a solution that we, the Town and everyone can live with.

Mr. Garrison: Why not a condominium?

Atty Goldstein: We can't go condominium. Two problems. 1. Time and 1. money. The time period of getting a condominium through while we sit causes bankruptcy.

Mr. Garrison: Are those claims on the houses that are already built?

Atty. Goldstein: We have builders, sub-contractors, mortgages on the entire place, mortgages on individual. Money claims in assess of one million dollars. It was not done the right way. There was a mistake on both parts.

Mr. Garrison: A Driveway - Do they have garages?

Mr. Shaw: Some do.

Mr. Garrison: Under your scheme now who would- are they private streets to structure? Would they be deeded to owners?

Atty. Goldstein: Association maintains all exterior

Mr. Garrison: I do have to take one exception with you on the subject you raised.

Having lived in one in Orange County called Clemson Park. The subject of privacy, more by common area extended up to foundation wall. Certain amount of social pressure. No one walked by your window or while you were barbecuing. Exterior of building paid for out of Association dues. People who had the option to do their own landscaping, particularly the people with patios on the ground floor. It was a pleasant place to live.

I never felt invasion of any ones privacy. Everyone communicated in a neighborly fashion.

I have been around a long time. I have seen subdivisions in the County where we have subdivisions and then eventually they were cut off and eventually became isolated or landlocked. I see potential problems. Maybe it is a false thing but that is where I am coming from. I realize where you are coming from you may have a different way of working out. Are these two story or one?

Mr. Spignardo: One family.

Mr. Garrison: Up and down.

Mr. Scheible: Mr. Gibney, we talked about houses that were sold in the beginning. How big were they? Was whole lot sold in beginning with original 12 houses? Was it 12 houses?

Chairman Van Leeuwen: Twenty-six (26) deeds went through the County.

Atty. Goldstein: Common areas. No lots were conveyed out.

Chairman Van Leeuwen: Were they pledged to the Bank?

Atty. Goldstein: I think I have explained it enough times but I will be happy to explain and go slow.

When the construction mortgages 7 building, there was an Association formed, and existing by a corporation. I have a copy of Perspectus. Perspectus requirements are on page 10 of the Perspectus of Common area. I am talking about all the property that is not covered by building. Common areas conveyed to Association. The Bank wanted Common Areas deeded over to an Association. A few months ago - who was Association? Association is a Corporation evidence by stock. Ownership of Common area from Ken Campbell, Inc. to Ken Campbell, Inc. Since no title of ownership has passed the ownership was Ken Campbell, Inc.

Chairman Van Leeuwen: There are still questions by Board members minds.

Mr. Scheible: My original question. 12 homes under construction. How much property are these people assuming that they have when they bought house.

Atty. Goldstein: Contracts you are talking about?

Mr. Gibney: These people are not assuming anything. These people are brought up to date every Thursday morning between 9 am up to 1am. when I make 22 phone calls. These people know that it is under advisement to the Planning Board about the 10 ft and 4 ft. What these people were sold feloniously, no contract I have ever read had 40'x60' or 80x50'. I think that is what you are asking.

Mr. Scheible: That is what I wanted.

Mr. Gibney: We did refer to a map that was in the sales office on the wall. That map did have lot lines, did have numbers. Many people went up and picked. Only one side of map had demensions on it but it was good scale. Many people felt they were getting 60'x50', or whatever it might be. Those people are very aware today what is happening. They are aware of our request. They are being kept up to date.

Mr. Reynolds: They must wait for decision.

Mr. Gibney: Ninety percent(90%) are willing to go with what is there.  
Note: Plan was sent around table to Board members to show houses under contract. (FHA #235 Mortgage.)

Mr. Scheible: Have any people under contract withdrawn?

Mr. Gibney: Some have withdrawn.

Mr. Scheible: Because under pretext?

Mr. Gibney: Conditions. Certain people have obligations.

Mr. Infante: Mr. Goldstein is trying to straighten out. He wants people to settle for 4 ft. and 10 ft.

Mr. Spignardo: Whether small lot or large you you are creating lots. Can we create?

Atty. Krieger: Bearing in mind any motion or vote is under eye of law. It is advisory only, until written modification.

Mr. Reyns: I just wanted to ask if we were legally approving. Are we clarifying?

Mr. Jones: We are opening a new can of worms on modification. What is to stop him from coming in a year from now for modification.

Chairman Van Leeuwen: Do we want to go with 4 ft. on side and 10 ft. in the rear. That is the biggest obstacle.

Mr. Spignardo: Our Attorney says we have to determine if the parcel under house is conveyed.

Atty. Goldstein: The Perspectus on page 13 there is a letter to Ken Campbell from Planning Board Attorney Philip Crotty dated 5/19/80 signed by Philip Crotty. I am saying fee ownership means subdivision. Mr. Krieger?

Atty. Krieger: Fee means they are entitled to own something.

Atty. Goldstein: Question you asked on what basis do we determine whether it is a subdivision or not. You wanted to go into the minutes and to save time I showed you a letter from Atty. Crotty. Acknowledge the letter. Attorney acknowledge ownership by individual. In order to sell, you must have a deed with metes and bounds description.

Atty. Krieger: Must have deed.

Mr. Spignardo: Does it say selling by number, not lots.

Atty. Goldstein: Under the 1980 plan it never said what we could sell out. We are trying to correct what we can sell out.

Atty. Krieger: Under modification if intent of plan was to sell land under the house, four corners of foundation. He is presenting evidence. There is no direct statement. You have to rely on secondary evidence. There need not be one if you accept revision he had promoted.

Mr. Reyns: If it can be determined that is what we have done, I see no reason why we can't add 4 ft. and 10 ft. One is same as other if legal and can be determined.

Mr. Scheible: If legal, I would go along with 4ft. and 10 ft.

Mr. Spignardo: I would want it resolved first.

Mr. Infante: I would go along with 4 ft. and 10 ft.

Mr. Jones: No, He knew when he took over from Connelly he was building a Condominium.

Mr. Spignardo: If land under building was to be conveyed.

Atty. Krieger: In voting on this each Board member must make up his own mind.

Mr. Goldstein extracted notes and letters and has made an argument based on what he proposes the reasonable interpretation of all this evidence. He has indicated that is what the intent of plan was. Each Board member must make up his own mind based on evidence that is available whether the intent was (noisy) .....

Mr. Infante: I asked Phil Crotty about this and he discussed this with me, with regards to Fee ownership - He said the outside Coat of paint. He discussed reflects and letter that Mr. Goldstein read.

Chairman Van Leeuwen: Fee ownership could be the house, or land with house. Do we look at it as the land under the house? It depends which way we look at it,

Atty. Goldstein: Don't say any other way. I have said for three (3) months and I will say it again. Fee Ownership means land under the house. Condominium means within walls.

Fee ownship refers to land under house.... Andy, I wish you would explain legalities for they are not attorneys. Say it the way it is. They wouldn't believe me. Indicate conveyance.

Atty. Krieger: Fee - Use legal term, title to land as apposed to house. Title to personal property. What it was intended. The word Fee can only have that meaning. The almost inescapable argument is looking at those two pieces of evidence entitled people to buy land and house.

Chairman Van Leeuwen: What do you want tonight?

Atty. Goldstein: If you could have a vote on the 4 ft. and 10 ft.

Mr. Scheible: Min. or max.

Atty. Goldstein: Maximum.  
It is less than 10' in some instances.

Atty. Krieger: Bound by what? If he comes in and asks for modification. The question is, if he gets anything it is what he asked for. He is bound by what he asks for.

I want to avoid confusion since this was amended site plan, specify so another Board at another time will understand.

Motion by Mr. Infante seconded by Mr. Scheible that the Planning Board of the Town of New Windsor modify the July 13, 1980 site plan to permit the conveyance with each house of a parcel of land not greater than 10 feet in the rear and 4 feet on the front and either side as measured from the foundation to lot line so long as physical conditions permit.

Roll call:	Jones: no	Spignardo: no
	Infante: yes	Reyns: yes
	Scheible: yes	Van Leeuwen: yes

4 ayes, 2 nays. Motion approved(4 ayes 2 nays)

Chairman Van Leeuwen: This is only regarding four ft. (4ft) on sides and front and ten (10) ft. in the rear.

Atty. Krieger explain the schedule of modification to the Board. There will be lists of specifications.

Mr. Shaw: This schedule - Does it have to be addressed?  
Next meeting a complete drawing with retention ponds. Can I  
just state change and criteria.

Atty. Goldstein: Are we in position to get final approval? Why can't we all hear next week; submit proposed site plan. Give to Engineer, he can review it and give input. It eliminates taking up another slot.

Atty. Krieger: Will plans be self explanatory? Will Engineer understand it? Submit them by next week, then they will be referred to the Planning Board Engineer. It eliminates taking up another slot.

Atty. Goldstein: The only difference between us and anyone else coming is a great deal of money.

Chairman Van Leeuwen: I convened a special meeting for you tonight so we can finish up some other work that is laying in the background.

Atty. Goldstein: I have always been on last. I have never objected. I have never asked for anything special. I don't expect to be put on any place but last.

Mr. Shaw asked Mr. Cuomo how much time he needed for plans.

Mr. Kennedy: We should have Engineer's seal on maps.

Mr. Shaw: I have requested Land Design to do this.

Atty. Krieger: If plans submitted to Mr. Cuomo, show lot lines approved.

Atty. Goldstein: I am asking, will the Board grant final approval if plan meets all conditions?

Mr. Jones: Is that final of whole business?

Atty. Krieger: You would have the power.

Give Atty. Goldstein: 1. unforeseen circumstances,  
2. necessary circumstances,  
3. spirit and intent of the Board  
4. spirit and purpose of regulations.



Chairman Van Leeuwen: Mr. Goldstein, we will put this on the May 11th agenda.

If there is no further business this evening I will entertain a motion to adjourn.

Motion by Mr. Reyns seconded by Mr. Scheible that the Planning Board of the Town of New Windsor adjourn this special meeting of April 18, 1983.

Roll call: All ayes, no nays. (6 ayes, 0 nays) Motion carried.  
Meeting adjourned 10:35 P.M.

Respectfully submitted,

*Shirley B. Hassdenteufel*  
SHIRLEY B. HASSDENTEUFEL  
Recording Secretary

*No stamps* **CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.**

THIS INDENTURE, made the *5<sup>th</sup>* day of January nineteen hundred and eighty-three

BETWEEN KEN CAMPBELL ENTERPRISES INC., a New York corporation with principal place of business at 239 Springtown Road, New Paltz, New York 12561,

party of the first part, and THE COMMONS AT WINDSOR HOMEOWNERS ASSOCIATION, INC., a New York Not-for-Profit Corporation, with office care of BERGER & KRAMER, 225 Broadway, New York, New York 10007,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, and State of New York bounded and described as follows:

SEE DESCRIPTION ANNEXED HERETO AND MADE A PART HEREOF  
AS SCHEDULE "A".

MAP: CITY OF \_\_\_\_\_ TOWN OF N.Y.C. VIL OF \_\_\_\_\_

RE: DEED: LIBER 2240 PAGE 1067 RECORDED 1/6/83

TAX MAP: SEC \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_

OTHER (EXPLAIN) Note: The above deed conveys 1.7A to the  
home owners Assoc. But it is creating a 2.6 Lot SUB - (see 1988  
a filed map to do this - Can you get them to file a SUB map?

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

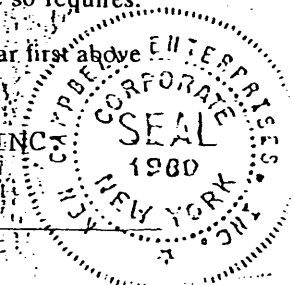
IN PRESENCE OF:

LIBER 2240 PG 1067

KEN CAMPBELL ENTERPRISES INC.

BY:

KEN CAMPBELL, President



## COMMONS OF NEW WINDSOR

Oct. 10, 19

## SECTION I

December 19

## COMMON AREA - SECTION I

LIBER 2240 PG 1068

BEGINNING at a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 27.19' to a point establishing the northeast corner of Section I; thence,
- (5) N 54°-29'-07" W, 44.77' to a point; thence,
- (6) along an arc to the right having a radius of 354.00' and a length of 91.76' to a point; thence,
- (7) N 39°-38'-03" W, 44.15' to a point; thence,
- (8) along an arc to the left having a radius of 259.37' and a length of 73.94' to a point; thence,
- (9) N 55°-58'-02" W, 87.40' to a point; thence,
- (10) along an arc to the right having a radius of 614.00' and a length of 257.32' to a point; thence,
- (11) N 31°-57'-19" W, 74.11' to a point; thence,
- (12) N 58°-02'-41" E, 71.75' to a point; thence,
- (13) N 12°-58'-21" E, 120.02' to a point; thence,
- (14) S 53°-27'-10" E, 690.00' to a point; thence,
- (15) S 38°-17'-10" W, 269.52' to the aforementioned northeast corner of Section I and the established point of beginning.

Thus completing the description of Section I  
The Commons of New Windsor which encompasses  
a total area as follows:

Total Area . . . . .	3.64 Ac.
Total Area (Lots 6-31) . . . . .	1.94 Ac.
Total Common Area . . . . .	1.70 Ac.

The common area of Section I, The Commons of New Windsor is therefore best described as per the above description with the exception of those areas ( Lots 6-31 ) as described and attached hereto.

Specifically excepting and reserving from the description above Lots 6 through 31 (which are included in said description); the descriptions of said Lots 6 through 31 attached hereto.

Schedule A

SCHEDULE A

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 6

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point; thence,
- (6) S 36°-32'-50" W, 43.000' to a point; thence,
- (7) S 53°-27'-10" E, 49.000' to a point; thence,
- (8) S 36°-32'-50" W, 139.000' to a point; thence,
- (9) N 53°-27'-10" W, 43.000' to a point; thence,
- (10) S 36°-32'-50" W, 37.000' to a point; thence,
- (11) N 53°-27'-10" W, 92.000' to a point; thence,
- (12) N 36°-32'-50" E, 55.000' to a point; thence,
- (13) N 06°-48'-08" E, 16.125' to a point establishing the southeast corner of Lot # 6; thence,
- (14) N 53°-27'-10" W, 55.000' to a point; thence,
- (15) N 36°-32'-50" E, 56.000' to a point; thence,
- (16) S 53°-27'-10" E, 55.000' to a point; thence,
- (17) S 36°-32'-50" W, 56.000' to the aforementioned southeast corner of Lot # 6.

Thus completing the description of Lot # 6 The Commons of New Windsor which encompasses a total area of 3080 sf (.0707 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #6.

LIBER 2240 PG 1069

## COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 7

LIBER 2240 PG 1070

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section 1, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point; thence,
- (6) S 36°-32'-50" W, 43.060' to a point; thence,
- (7) S 53°-27'-10" E, 49.000' to a point; thence,
- (8) S 36°-32'-50" W, 139.000' to a point; thence,
- (9) N 53°-27'-10" W, 43.000' to a point; thence,
- (10) S 36°-32'-50" W, 32.000' to a point; thence,
- (11) N 53°-27'-10" W, 92.000' to a point; thence,
- (12) N 36°-32'-50" W, 23.000' to a point establishing the southeast corner of Lot # 7; thence,
- (13) N 53°-27'-10" W, 63.000' to a point; thence,
- (14) N 36°-32'-50" E, 46.000' to a point; thence,
- (15) S 53°-27'-10" E, 55.000' to a point; thence,
- (16) S 06°-48'-08" W, 16.125' to a point; thence,
- (17) S 36°-32'-50" W, 32.000' to the aforementioned southeast corner of Lot # 7.

Thus completing the description of Lot # 7 The Commons of New Windsor which encompasses a total area of 2842 sf (.0652 acres.)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #7

## COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 8

BEGINNING a-a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point; thence,
- (6) S 36°-32'-50" W, 43.000' to a point; thence,
- (7) S 53°-27'-10" E, 49.000' to a point; thence,
- (8) S 36°-32'-50" W, 139.000' to a point; thence,
- (9) N 53°-27'-10" W, 43.000' to a point; thence,
- (10) S 36°-32'-50" W, 37.000' to a point; thence,
- (11) N 53°-27'-10" W, 46.000' to a point establishing the Southeast corner of Lot # 8; thence
- (12) N 53°-27'-10" W, 46.000' to a point; thence,
- (13) N 36°-32'-50" E, 55.000' to a point; thence,
- (14) S 53°-27'-10" E, 46.000' to a point; thence,
- (15) S 36°-32'-50" W, 55.000' to the aforementioned southeast corner of Lot # 8.

Thus completing the description of Lot # 8 The Commons of New Windsor which encompasses a total area of 2530 sf ( .0580 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #8

LIBER 2240: PG 1071

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 9

LIBER 2240 PG 1072

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point; thence,
- (6) S 36°-32'-50" W, 43.000' to a point; thence,
- (7) S 53°-27'-10" E, 49.000' to a point; thence,
- (8) S 36°-32'-50" W, 139.000' to a point; thence,
- (9) N 53°-27'-10" W, 43.000' to a point establishing the northeast corner of Lot # 9; Thence,
- (10) S 36°-32'-50" W, 37.000' to a point; thence,
- (11) N 53°-27'-10" W, 46.000' to a point; thence,
- (12) N 36°-32'-50" E, 55.000' to a point; thence,
- (13) S 53°-27'-10" E, 24.000' to a point; thence,
- (14) S 14°-09'-48" E, 28.425' to the aforementioned northeast corner of Lot # 9.

Thus completing the description of Lot # 9 The Commons of New Windsor which encompasses a total area of 2332 sf (.0535 acres.)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #9



## COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 10

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the northeast corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point; thence,
- (6) S 36°-32'-50" W, 43.000' to a point; thence,
- (7) S 53°-27'-10" E, 49.000' to a point; thence,
- (8) S 36°-32'-50" W, 86.000' to a point establishing the northeast corner of Lot # 10; thence,
- (9) S 36°-32'-50" W, 53.000' to a point; thence,
- (10) N 53°-27'-10" W, 43.00' to a point; thence,
- (11) N 14°-09'-48" W, 28.425' to a point; thence,
- (12) N 36°-32'-50" E, 35.000' to a point; thence,
- (13) S 53°-27'-10" E, 65.000' to the aforementioned northeast corner of Lot # 10.

Thus completing the description of Lot # 10 The Commons of New Windsor which encompasses a total area of 3247 sf (.0745 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #10

LIBER 2240 PG 1073

## COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 11

LIBER 2240 PG 1074

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the northeast corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point; thence,
- (6) S 36°-32'-50" W, 43.000' to a point; thence,
- (7) S 53°-27'-10" E, 49.000' to a point; thence,
- (8) S 36°-32'-50" W, 46.000' to a point establishing the northeast corner of Lot # 11; thence,
- (9) S 36°-32'-50" W, 40.000' to a point; thence,
- (10) N 53°-27'-10" W, 65.000' to a point; thence,
- (11) N 36°-32'-50" E, 40.000' to a point; thence,
- (12) S 53°-27'-10" E, 65.000' to the aforementioned northeast corner of Lot # 11.

Thus completing the description of Lot # 11 The Commons of New Windsor which encompasses a total area of 2600 sf ( .0596 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

Which point is the point of beginning for said Lot #11

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 12

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point; thence,
- (6) S 36°-32'-50" W, 43.000' to a point establishing the northeast corner of Lot # 12; thence,
- (7) S 53°-27'-10" E, 49.000' to a point; thence,
- (8) S 36°-32'-50" W, 46.000' to a point; thence,
- (9) N 53°-27'-10" E, 65.000' to a point; thence,
- (10) N 36°-32'-50" W, 23.000' to a point; thence,
- (11) N 71°-22'-18" E, 28.018' to the aforementioned north-east corner of Lot # 12.

Thus completing the description of Lot # 12 The Commons of New Windsor which encompasses a total area of 2806 sf ( .0644 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #12

LIBER 2240 PG 1075

## COMMONS OF NEW WINDSOR

August 2, 1982

LOT # 13

LIBER 2240 PG 1076

BEGINNING at a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; and running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 97.999' to a point establishing the north-east corner of Lot # 13; thence,
- (6) S 36°-32'-50" W, 43.000' to a point; thence,
- (7) S 71°-22'-18" W, 28.018' to a point; thence,
- (8) N 53°-27'-10" W, 30.000' to a point; thence,
- (9) N 36°-32'-50" E, 66.000' to a point; thence,
- (10) S 53°-27'-10" E, 46.000' to the aforementioned northeast corner of Lot # 13.

Thus completing the description of Lot # 13 The Commons of New Windsor which encompasses a total area of 2852 sf ( .0654 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #13

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 14

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 143.999' to a point establishing the north-east corner of Lot # 14; thence,
- (6) S 36°-32'-50" W, 66.000' to a point; thence,
- (7) N 53°-27'-10" W, 49.000' to a point; thence,
- (8) N 36°-32'-50" E, 66.000' to a point; thence,
- (9) S 53°-27'-10" E, 49.000' to the aforementioned northeast corner of Lot # 14.

Thus completing the description of Lot # 14 The Commons of New Windsor which encompasses a total area of 3234 sf (.0742 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #14

LIBER 2240 PG 1077

COMMONS OF NEW WINDSOR

August 2, 1982

LOT # 15

LIBER 2240 PG 1078

BEGINNING at a concrete monument in the northwesterly line of New State Highway Route No. 32, said point also being the most south-easterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the northeast corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 192.999' to a point establishing the northeast corner of Lot # 15; thence,
- (6) S 36°-32'-50" W, 66.000' to a point; thence,
- (7) N 53°-27'-10" W, 58.000' to a point; thence,
- (8) N 36°-32'-50" E, 66.000' to a point; thence,
- (9) S 53°-27'-10" E, 58.000' to the aforementioned northeast corner of Lot # 15.

Thus completing the description of Lot # 15 The Commons of New Windsor which encompasses a total area of 3828 sf ( .0878 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #15

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 16

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the northeast corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 250.999' to a point establishing the northeast corner of Lot # 16; thence,
- (6) S 36°-32'-50" W, 66.000' to a point; thence,
- (7) N 53°-27'-10" W, 38.000' to a point; thence,
- (8) N 36°-32'-50" E, 66.000' to a point; thence,
- (9) S 53°-27'-10" E, 38.000' to the aforementioned northeast corner of Lot # 16.

Thus completing the description of Lot # 16 The Commons of New Windsor which encompasses a total area of 2508 sf ( .0575 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #16

LIBER 2240 PG 1079

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 17

LIBER 2240 PG 1080

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 288.999' to a point establishing the north-east corner of Lot # 17; thence,
- (6) S 36°-32'-50" W, 66.000' to a point; thence,
- (7) N 53°-27'-10" W, 46.000' to a point; thence,
- (8) N 36°-32'-50" E, 66.000' to a point; thence,
- (9) S 53°-27'-10" E, 46.000' to the aforementioned northeast corner of Lot # 17.

Thus completing the description of Lot # 17 The Commons of New Windsor which encompasses a total area of 3036 sf (.0696 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #17



COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 18

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 334.999' to a point establishing the north-east corner of Lot # 18; thence,
- (6) S 36°-32'-50" W, 66.000' to a point; thence,
- (7) N 50°-20'-31" W, 46.068' to a point; thence,
- (8) N 36°-32'-50" E, 63.500' to a point; thence,
- (9) S 53°-27'-10" E, 46.000' to the aforementioned northeast corner of Lot # 18

Thus completing the description of Lot # 18 The Commons of New Windsor which encompasses a total area of 2978.5 sf (.0683 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #18

LIBER 2240 PG 1081

THE COMMONS OF NEW WINDSOR

AUGUST 2, 1982

LOT # 19

LIBER 2240 PG 1082

BEGINNING at a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of Windsor; thence,
- (5) N 53°-27'-10" W, 380.999' to a point establishing the northeast corner of Lot # 19; thence,
- (6) S 36°-32'-50" W, 63.500' to a point; thence,
- (7) N 50°-20'-31" W, 46.068' to a point; thence,
- (8) N 36°-32'-50" E, 61.000' to a point; thence,
- (9) S 53°-27'-10" E, 46.000' to the aforementioned northeast corner of Lot # 19.

Thus completing the description of Lot # 19 The Commons of New Windsor which encompasses a total area of 2863.5 sf (.0657 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #19

COMMONS OF NEW WINDSOR

August 2, 1982

LOT # 20

BEGINNING at a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the northeast corner of Section I, The Commons Of New Windsor; thence,
- (5) N 53°-27'-10" W, 426.899' to a point establishing the northeast corner of Lot # 20; thence,
- (6) S 36°-32'-50" W, 61.000' to a point; thence,
- (7) N 50°-20'-31" W, 46.068' to a point; thence,
- (8) N 36°-32'-50" E, 58.500' to a point; thence,
- (9) S 53°-27'-10" E, 46.000' to the aforementioned northeast corner of Lot # 20.

Thus completing the description of Lot # 20 The Commons of New Windsor which encompasses a total area of 2748.5 sf ( .0631 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #20

LIBER 2240 PG 1083

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 21

LIBER 2240 PG 1084

BEGINNING at a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the northeast corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 472.999' to a point establishing the northeast corner of Lot # 21; thence,
- (6) S 36°-32'-50" W, 58.500' to a point; thence,
- (7) N 57°-46'-30" W, 42.120' to a point; thence,
- (8) N 36°-32'-50" E, 61.674' to a point; thence,
- (9) S 53°-27'-10" E, 42.000' to the aforementioned northeast corner of Lot # 21.

Thus completing the description of Lot # 21 The Commons of New Windsor which encompasses a total area of 2523.7 sf (.0579 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #21

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 22

BEGINNING at a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the northeast corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 514.999' to a point establishing the northeast corner of Lot # 22; thence,
- (6) S 36°-32'-50" W, 61.674' to a point; thence,
- (7) N 57°-46'-30" W, 44.125' to a point; thence,
- (8) N 12°-58'-21" E, 70.919' to a point; thence,
- (9) S 53°-27'-10" E, 72.364' to the aforementioned northeast corner of Lot # 22.

Thus completing the description of Lot # 22 The Commons of New Windsor which encompasses a total area of 3708.1 sf (.0851 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #22

LIBER 2240 PG 1085

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 23

LIBER 2240 PG 1086

BEGINNING a a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section 1, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 587.363' to a point establishing the north-east corner of Lot # 23; thence,
- (6) S 12°-58'-21" W, 70.919' to a point; thence,
- (7) N 81°-55'-05" W, 48.914' to a point; thence,
- (8) N 12°-58'-21" E, 96.355' to a point; thence,
- (9) S 53°-27'-10" E, 53.174' to the aforementioned northeast corner of Lot # 23.

Thus completing the description of Lot # 23 The Commons of New Windsor which encompasses a total area of 4076.1 sf (.0935 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #23

COMMONS OF NEW WINDSOR

August 11, 1982

LOT # 24

BEGINNING at a concrete monument in the northwesterly line of New York State Highway Route No. 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt Deed Book 1150, Page 424; & running thence,

- (1) N 37°-23'-55" E, 88.00' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 296.71' to a point establishing the north-east corner of Section I, The Commons of New Windsor; thence,
- (5) N 53°-27'-10" W, 640.537' to a point establishing the north-east corner of Lot # 24; thence,
- (6) S 12°-58'-21" W, 96.355' to a point; thence,
- (7) N 81°-55'-05" W, 45.500' to a point; thence,
- (8) N 12°-58'-21" W, 120.017' to a point; thence,
- (9) S 53°-27'-10" E, 49.463' to the aforementioned northeast corner of Lot # 24.

Thus completing the description of Lot # 24 The Commons of New Windsor which encompasses a total area of 4905.5 sf (.1126 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #24

LIBER 2240 PG 1087

December 1982

THE COMMONS OF NEW WINDSOR

LOT # 25

LIBER 2240 PG 1088

BEGINNING at a concrete monument in the northwesterly line of New York Highway Route 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N. 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 41.21' to a point; thence,
- (5) N 54°-29'-07" W, 45.449' to a point; thence,
- (6) along an arc to the right having a radius of 340' and a length of 88.129' to a point; thence,
- (7) N 39°-38'-03" W, 44.15 to a point; thence,
- (8) along an arc to the left having a radius of 27 273.373' and a length of 77.929' to a point; thence,
- (9) N 26°-25'-42" W, 34.48' to a point establishing the southwest corner of Lot # 25; thence,
- (10) N 45°-28'-16" W, 53.000' to a point; thence,
- (11) N 44°-31'-44" E, 85.000' to a point; thence,
- (12) S 9°-49'-52" E, 65.215 to a point; thence,
- (13) S 44°-31'-44" W, 47.000' to the aforementioned southwest corner of Lot # 25.

Thus completing the description of Lot # 25 The Commons of New Windsor which encompasses a total area of 3498.0 sf ( 0803 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #25



December 1982

THE COMMONS OF NEW WINDSOR

LOT # 26

BEGINNING at a concrete monument in the northwesterly line of New York Highway Route 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424, and running thence,

- (1) N. 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 41.21' to a point; thence,
- (5) N 54°-29'-07" W, 45.449' to a point; thence,
- (6) along an arc to the right having a radius of 340' and a length of 88.129' to a point; thence,
- (7) N 39°-38'-03" W, 44.15' to a point; thence,
- (8) along an arc to the left having a radius of 273.373' and a length of 77.929' to a point; thence,
- (9) N 26°-25'-42" W, 34.48' to a point; thence,
- (10) N 45°-28'-16" W, 53.00' to a point establishing the southwest corner of Lot # 26; thence,
- (11) N 45°-28'-16" W, 40.00' to a point; thence,
- (12) N 44°-31'-44" E, 97.00' to a point; thence,
- (13) S 28°-46'-18" E, 41.761' to a point; thence,
- (14) S 44°-31'-44" W, 85.00' to the aforementioned southwest corner of Lot # 26.

Thus completing the description of Lot # 26 The Commons of New Windsor which encompasses a total area of 3640.0 sf (.0835 acres)

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

which point is the point of beginning for said lot #26

LIBER 2240 PG 1089

December 1982

THE COMMONS OF NEW WINDSOR

LOT # 27

LIBER 2240 PG 1090

BEGINNING at a concrete monument in the northwesterly line of New York Highway Route 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N. 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 41.21' to a point; thence,
- (5) N 54°-29'-07" W, 45.449' to a point; thence,
- (6) along an arc to the right having a radius of 340' and a length of 88.129' to a point; thence,
- (7) N 39°-38'-03" W, 44.15' to a point; thence,
- (8) along an arc to the left having a radius of 273.373' and a length of 77.929' to a point; thence,
- (9) N 26°-25'-42" W, 34.48' to a point; thence,
- (10) N 45°-28'-16" W, 93.00' to a point establishing the southwest corner of Lot # 27; thence,
- (11) N 45°-28'-16" W, 48.00' to a point; thence,
- (12) N 44°-31'-44" E, 97.00' to a point; thence,
- (13) S 45°-28'-16" E, 48.00' to a point; thence,
- (14) S 44°-31'-44" W, 97.00' to the aforementioned southwest corner of Lot # 27.

Thus completing the description of Lot # 27 The Commons of New Windsor which encompasses a total area of 4656.0 sf ( 1.0688 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #27

December 1982

THE COMMONS OF NEW WINDSOR

LOT # 28

BEGINNING at a concrete monument in the northwesterly line of New York Highway Route 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N. 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 41.21' to a point; thence,
- (5) N 54°-29'-07" W, 45.449' to a point; thence,
- (6) along an arc to the right having a radius of 340' and a length of 88.129' to a point; thence;
- (7) N 39°-38'-03" W, 44.15' to a point; thence;
- (8) along an arc to the left having a radius of 273.373' and a length of 77.929' to a point; thence,
- (9) N 26°-25'-42" W, 34.48' to a point; thence,
- (10) N 45°-28'-16" W, 141.00' to a point establishing the southwest corner of Lot # 28; thence,
- (11) N 45°-28'-16" W, 46.00' to a point; thence,
- (12) N 44°-31'-44" E, 97.00' to a point; thence,
- (13) S 45°-28'-16" E, 46.00' to a point; thence,
- (14) S 44°-31'-44" W, 97.00' to the aforementioned southwest corner of Lot # 28.

Thus completing the description of Lot # 28 The Commons of New Windsor which encompasses a total area of 4462.0 sf ( 1.0243 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #28

LIBER 2240 PG 1091

December 1982

THE COMMONS OF NEW WINDSOR

LOT # 29

LIBER 2240 PG 1092

BEGINNING at a concrete monument in the northwesterly line of New York Highway Route 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N. 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 41.21' to a point; thence,
- (5) N 54°-29'-07" W, 45.449' to a point; thence,
- (6) along an arc to the right having a radius of 340' and a length of 88.129' to a point; thence,
- (7) N 39°-38'-03" W, 44.15 to a point; thence,
- (8) along an arc to the left having a radius of 273.373' and a length of 77.929' to a point; thence,
- (9) N 26°-25'-42" W, 34.48' to a point; thence,
- (10) N 45°-28'-16" W, 187.00' to a point establishing the southwest corner of Lot # 29; thence,
- (11) N 45°-28'-16" W, 42.00' to a point; thence,
- (12) N 44°-31'-44" E, 86.244' to a point; thence,
- (13) S 59°-50'-08" E, 43.355' to a point; thence,
- (14) S 44°-31'-44" W, 97.00' to the aforementioned southwest corner of Lot # 29.

Thus completing the description of Lot # 29 The Commons of New Windsor which encompasses a total area of 3848.1 sf ( .0883 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #29

Decmeber 1982

THE COMMONS OF NEW WINDSOR

LOT # 30

BEGINNING at a concrete monument in the northwesterly line of New York Highway Route 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N. 37°-23'-55" E, 88.000' to a point; thence,
- (2) N 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 41.21' to a point; thence,
- (5) N 54°-29'-07" W, 45.449' to a point; thence,
- (6) along an arc to the right having a radius of 340' and a length of 88.129' to a point; thence,
- (7) N 39°-38'-03" W, 44.15 to a point; thence,
- (8) along an arc to the left: having a radius of 273.373' and a length of 77.929' to a point; thence,
- (9) N 26°-25'-42" W, 34.48' to a point; thence,
- (10) N 45°-28'-16" W, 229.00' to a point establishing the southwest corner of Lot # 30; thence,
- (11) N 45°-28'-16" W, 40.00' to a point; thence,
- (12) N 44°-31'-44" E, 76.00' to a point; thence,
- (13) S 59°-50'-08" E, 41.291' to a point; thence,
- (14) S 44°-31'-44" W, 86.244' to the aforementioned southwest corner of Lot # 30.

Thus completing the description of Lot # 30 The Commons of New Windsor which encompasses a total area of 3244.9 sf ( .0745 acres )

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #30

LIBER 2240 PG 1093

December 1982

THE COMMONS OF NEW WINDSOR

LOT # 31

LIBER 2240 PG 1094

BEGINNING at a concrete monument in the northwesterly line of New York Highway Route 32, said point also being the most southeasterly corner of lands now or formerly of Lena Schmitt, Deed Book 1150, Page 424; and running thence,

- (1) N. 37°-23'-55" E, 88.000' to a point; thence,
- (2) N. 33°-53'-10" E, 502.40' to a point; thence,
- (3) N 28°-24'-10" E, 151.10' to a point; thence,
- (4) N 38°-17'-10" E, 41.21' to a point; thence,
- (5) N 54°-29'-07" W, 45.449' to a point; thence,
- (6) along an arc to the right having a radius of 340' and a length of 88.129' to a point; thence,
- (7) N 39°-38'-03" W, 44.15' to a point; thence,
- (8) along an arc to the left having a radius of 273.373' and a length of 77.929' to a point; thence,
- (9) N 26°-25'-42" W, 34.48' to a point; thence,
- (10) N 45°-28'-16" W, 269.00' to a point establishing the southwest corner of Lot # 31; thence,
- (11) N 45°-28'-16" W, 45.00' to a point; thence,
- (12) N 44°-31'-44" E, 40.00' to a point; thence,
- (13) S 84°-07'-51" E, 57.628' to a point; thence,
- (14) S 44°-31'-44" W, 76.00' to the aforementioned southwest corner of Lot # 31.

Thus completing the description of Lot # 31 The Commons of New Windsor which encompasses a total area of 2610.0 sf (.5991 acres).

Together with and subject to the easements, rights, privileges, restrictions, etc. as set forth in the certain Declaration dated September 23, 1982 and recorded in the Orange County Clerk's Office on September 30, 1982 in Liber 2233, page 921.

\*which point is the point of beginning for said lot #31

1. General Receipt dated March 10, 1980 Received of Kenneth Campbell Old Colonie Industry \$25.00 for Site Plan Appl. File 80-6 Cash
2. Town of New Windsor Planning Board Applicatio for Site PlanApproval Rt. 32 Multi Family 25 acre 187 Unit Sub.
3. Letter dated July 11, 1984 to Patrick Kennedy from D. Fullam, Resident Engineer State of N.Y. Dept. of transportation Re: Valley View Estates (Commons at Windsor) 2 copies.
4. Memo H. Van Leeuwen dated May 11, 1983 from Paul V. CuomoSub. Grading and Utilities Plans for the Commons.
5. Page 5 May 11, 1983 Minutes of Planning Board and Page 6.
6. H. Van Leeuwen May 11, 1984 from Paul V. Cuomo Grading and Utilities Plan for the Commons 2 Pages
7. Letter to Berger and Kramer dated Feb. 17, 1983 from Paula Sarvis Re: The Commons at Windsor Homeowners Assoc. Libr 2240 Page 1067.
8. Indenture 1/5/83 Liber 2240 PG1067 The Commons at Windsor Homeowners Assoc., Inc.
9. Commons of New Windsor Section (Common Area Section 1 Liber 2240 PG 1068, Schedule A.
10. Commons at New Windsor Lot #6 August 11, 1982Liber 2240 Page 1069
11. Commons of New Windsor Lot #7 August 11. 1982 Liber 2240 Page 1070
12. " " " " " #8 August 11, 1983 Liber 2240 Page 1071
13. " " " " " #9 August 11, 1982 Liber 2240 Page 1072
14. " " " " " #10 August 11, 1982 Liber 2240 Page 1073
15. " " " " " #11 August 11, 1982 Liber 2240 Page 1074
16. " " " " " #12 August 11, 1982 Liber 2240 Page 1075
17. " " " " " #13 August 12, 1982 Liber 2240 Page 1076
18. " " " " " #14 August 11, 1982 Liber 2240 Page 1077
19. " " " " " #15 August 12, 1982 Liber 2240 Page 1078
20. " " " " " #16 August 11, 1982 Liber 2240 Page 1079
21. " " " " " #17 August 11, 1982 Liber 2240 Page 1080
22. " " " " " #18 August 11, 1982 Liber 2240 Page 1081
23. " " " " " #19 August 12, 1982 Liber 2240 Page 1082
24. " " " " " #20 August 12, 1982 Liber 2240 Page 1083
25. " " " " " #21 August 11, 1982 Liber 2240 Page 1084
26. " " " " " #22 August 11, 1982 Liber 2240 Page 1085
27. " " " " " #23 August 11, 1983 Liber 2240 Page 1086
28. " " " " " #24 August 11, 1982 Liber 2240 Page 1087
29. " " " " " #25 Dec. 1982 Liber 2240 Page 1088
30. " " " " " #26 December 1982 Liber 2240 Page 1089
31. " " " " " #27 December 1982 Liber 2240 Page 1090
32. " " " " " #28 December 1982 Liber 2240 Page 1091
33. " " " " " #29 December 1982 Liber 2240 Page 1092
34. " " " " " #30 December 1982 Liber 2240 Page 1093
35. " " " " " #31 December 1982 Liber 2240 Page 1094

36. Parts of Minutes July 13, 1977 extension given until 1/6/80.
37. #7 on the agenda Connelly (Ken Campbell) Site Plan
38. 9/8/82 Page 4-6 Pages of Minutes.
39. Letter dated May 19, 1980 to Mr. Kenneth Campbell from Philip A. Crotty, Jr.  
Re: Site Plan for the former Connelly Industries Property 2 pages.
40. Copy of Minutes 12/22/82 Pages 3-6
41. Town of New Windsor Office of Zoning Building Inspector Stop Order dated  
2/18/83 by Patrick Kennedy.
42. Letter dated 9/9/82 to Donald Fullam, N.Y.S. Dept. of Transportation  
from Robert Manniello, Land Design Associates Re: Commons at Windsor 2 pages
43. Drainage Calculation dated July 20, 1982 The Commons at Windsor 5 Pages
44. Letter dated 5/19/80 to Kenneth Campbell from Philip A. Crotty, Jr. RE: Site  
Plan for the former Connolly Industries Property 2 Pages
45. Letter dated 10/15/82 to Central Hudson Gas and Electric Corp. from D. F. Fullam  
resident Engineer.
46. Copy of check 11/82 Payable to Town of New Windsor on the Peconic Bank  
S. Sordan.
47. Minutes of September 8, 1982 Pages 4-6 .
48. Letter dated May 19, 1980 to Kenneth Campbell Re: Plan for the former  
Connelly Industries Property 2 Pages
49. Letter dated April 1, 1981 to Paul V. Cuomo from Robert Manniello Land Design  
Assoc. Re: The Commons at Windsor .
50. Letter dated March 31, 1981 to Philip A. Crotty, Jr. from Joel DeFren of  
Bergerand Kramer Re: Commons at Windsor File No 250051.
51. Letter dated 10/1/80 to Kenneth Campbell C & C Construction Re: The Commons  
at Windsor from Ernest Spignardo Chairman.
52. Letter dated 9/10/80 to Ken Campbell C & C Const. Co. Re: Commons at Windsor  
from Dominick Bello.
53. #7 Planning Board Agenda (Connelly) Ken Campbell Site Plan 1 sheet dated  
May 19, 1980 to Mr. Campbell from Philip Crotty Planning Board Attorney.
54. Inter office correspondence Sept. 12, 1980 to Planning Board from Fire  
Inspector.
55. Inter Office correspondence July 29, 1977 to Planning Board from Fire Inspector.



56. Inter Office Correspondence dated May 1, 1980 to Campbell from Spignardo, chairman.
57. Inter Office Correspondence dated October 1, 1980 to Campbell from Spignardo Chairman
58. Inter office Correspondence dated May 19, 1980 to Campbell from Phil Crotty'
59. Receipt #4378 -\$1,950.00 Site Plan Fee
60. Dated June 15, 1981 to Robert Manniello from Bello
61. Dated October 15, 1950 to Robert Manniello from Bello
62. Handwritten Letter to Campbell from Spignardo
63. dated September 8, 1981 to Manniello from Schliefer
64. October 1, 1980 to Campbell from Spignardo
65. Card 1980 appearance approval July 13, 1977 Commons
66. October 23, 1980 to Lyman Masten from Robert Manniello
67. Sample Deed to purchases not dated or signed.
68. Site Plan Commons of New Windsor April 13, 1983 signed PVC #1  
grading and Utilities Plan April 13, 1983 #2.
69. Proposed Street Improvement Plan April 13, 1983 #4.
70. Details April 13, 1983 #5

TOWN OF NEW WINDSOR PLANNING BOARD

APPLICATION FOR SITE PLAN APPROVAL

*Union Nat Bank*

Name *Kenneth Campbell Agent*

Address *239 Springtown Rd New Paltz NY 12561*

1. Owner of the property *Union National Bank*

2. Location of the property:

*Rd. 32. New Windsor*

3. Zone area *Multi Family*

4. Nature of business:

5. Lot size: *25 acre, 147 unit subd. 2*  
Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_

6. Building setbacks: Front yard \_\_\_\_\_ Rear yard \_\_\_\_\_  
Side yards \_\_\_\_\_

7. Dimensions of new building \_\_\_\_\_

Addition \_\_\_\_\_

If addition, state front, side, rear of existing structure:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expense for advertising of Public Hearing or meetings will be paid. Also, any legal or engineering fees for review of this project.

Signed: \_\_\_\_\_

(APPLICANT)

Maps Required for:

Planning Board  
Highway Dept.  
Sanitation Dept.  
Water Dept.  
County Planning Board  
Building Inspector

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action of the Zoning Board of Appeals required



### SITE DATA :

TOTAL SITE AREA	24.007 ac.
BUILDING COVERAGE	3.30 ac. (13.7%)
PAVED AREA	5.46 ac. (22.7%)
GREEN AREA	15.24 ac. (63.6%)
TOTAL UNITS	185
UNITS PER ACRE	7.76 du./ac.
ZONING	RC

### HOUSING ANALYSIS :

"A" TYPE UNITS	185
"B" TYPE UNITS	
GARAGES @ 1/du.	185
SPACES @ 1/du. (min.)	192

DUMPSTERS TO BE PROVIDED @ 1 PER 10 UNITS AS SHOWN

## Commons of New Windsor

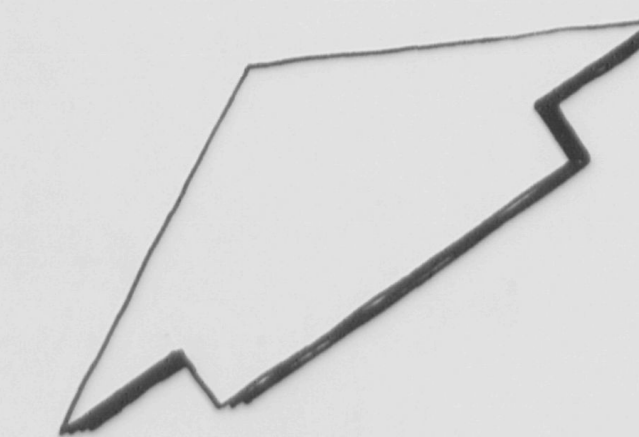
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

## SITE DEVELOPMENT PLAN ~ final

COMMONS OF NEW WINDSOR ~ NEW PALTZ, N.Y.

Nov. 12, 1973 · Nov. 20, 1973 · Mar. 23, 1977

REVISED MAR. 5, 77 MAY 22, 79 OCT. 1980



Scale : 1" = 50'

LAND DESIGN ASSOCIATES  
landscape architects ~ land planners  
Huntington, N.Y.



# RETENTION AREA DATA:

STORAGE PROVIDED-	EFFECTIVE DEPTH
AREA 'A' 7,500 cu. ft.	3 Feet
AREA 'B' 15,300	2 Feet
AREA 'C' 92,950	5.5 Feet
AREA 'D' 47,500	4.5 Feet
AREA 'E' 10,500	2 Feet
TOTAL PROVIDED 173,750 cu. ft.	
TOTAL REQUIRED 150,100 cu. ft.	

## NOTES:

1. ALL STORM SEWER AND WATER MAINS ARE TO BE OWNED AND OPERATED BY ASSOCIATION OF COMMONS' HOMEOWNERS. EASEMENTS SHALL BE REQUIRED.
2. ELECTRIC AND TELEPHONE SERVICE SHALL BE PROVIDED BY THE APPROPRIATE UTILITY COMPANY HAVING JURISDICTION IN THE AREA. A BACKUP UTILITY EASEMENT SHALL BE PROVIDED FOR THE CONTINUAL MAINTENANCE AND OPERATION OF SUCH UTILITIES TO THE SAID APPROPRIATE UTILITY COMPANY. THESE EASEMENTS SHALL BE PART OF EACH DEED OF OWNERSHIP.
3. ALL STORM SEWER PIPE TO BE C.M.P. CLASS 15.

## LEGEND:

EXISTING CONTOURS	PROPOSED CONTOURS
PROPOSED SPOT ELEVATIONS	HIGH POINT
TOP OF FRAME ELEV.	INVERT ELEV.
CATCH BASIN	STORM MANHOLE
SANITARY MANHOLE	CORRUGATED METAL PIPE CLASS 15
SANITARY SEWER PIPE SDR 35	PROPERTY LINE
RETENTION POND AND LIMITS	DRAINAGE FLOW

## SCHEDULE OF SECTIONS

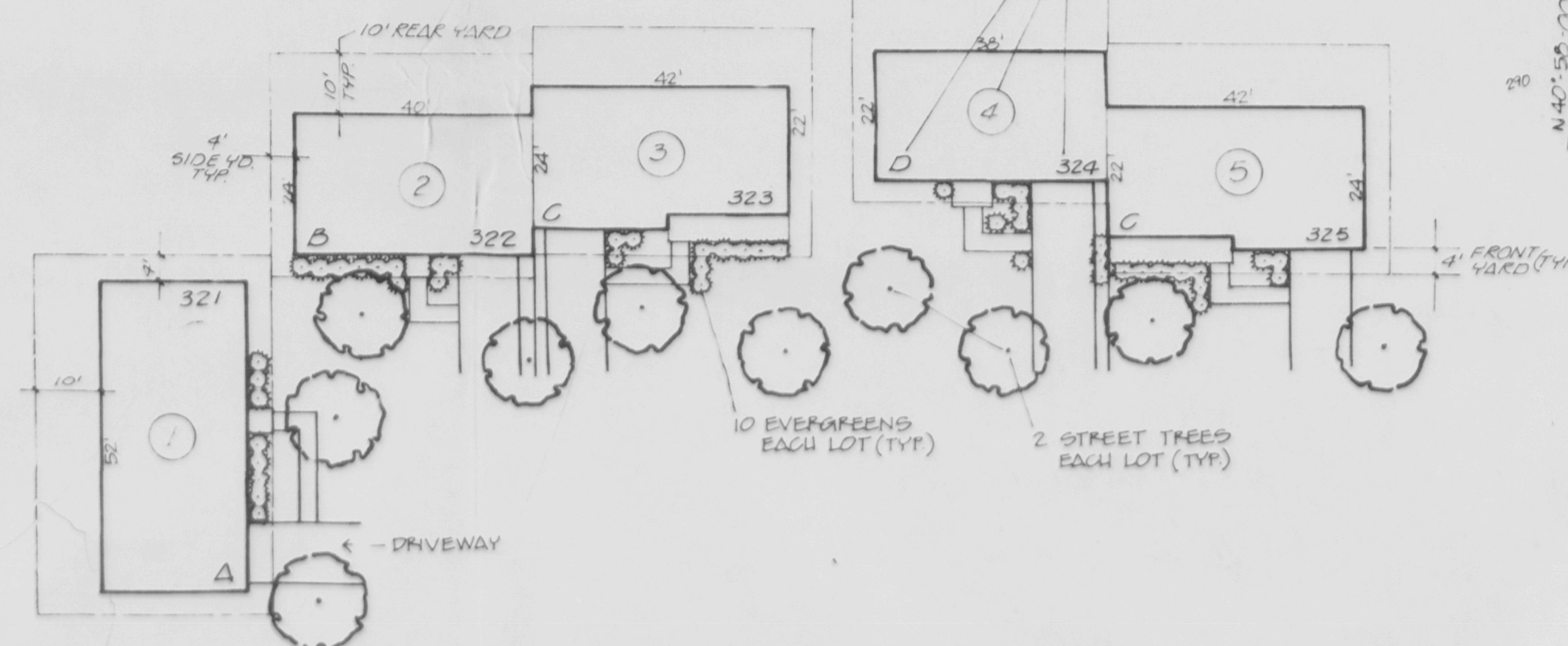
MODEL AREA	lots 1-5	(5)
SECTION I	lots 6-31	(26)
SECTION II	lots 32-55	(24)
SECTION III	lots 56-80	(25)
SECTION IV	lots 81-104	(24)
SECTION V	lots 105-134	(30)
SECTION VI	lots 135-158	(24)
SECTION VII	lots 159-176	(18)

## Site Plan

# Commons of New Windsor

TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

APRIL 13, 1983



TYPICAL LOT AND HOUSE LAYOUT  
SCALE: 1" = 20'

NOTE: EXISTING TOPOGRAPHIC INFORMATION WAS SUPPLIED BY OWNER & ALL PROPOSED GRADES WERE BASED UPON THIS INFORMATION & ARE SUBJECT TO FIELD CHANGES.

LAND DESIGN ASSOCIATES  
landscape architects - land planners  
Huntington, N.Y.





# RETENTION AREA DATA:

STORAGE PROVIDED -  
AREA 'E' 10,500 CU. FT.  
AREA 'D' 47,500 CU. FT.

## NOTES:

1. ALL STORM, SEWER AND WATER MAINS ARE TO BE OWNED AND OPERATED BY ASSOCIATION OF 'COMMONS' HOMEOWNERS. EASEMENTS SHALL BE REQUIRED.
2. ELECTRIC, GAS AND TELEPHONE SERVICE SHALL BE PROVIDED BY THE APPROPRIATE UTILITY COMPANY HAVING JURISDICTION IN THE AREA. A BLANKET 10' UTILITY EASEMENT SHALL BE PROVIDED FOR THE CONTINUAL MAINTENANCE AND OPERATION OF SUCH UTILITIES TO THE SAID APPROPRIATE UTILITY COMPANY. THESE EASEMENTS SHALL BE PART OF EACH DEED OF OWNERSHIP.

## SCHEDULE OF SECTIONS

MODEL AREA	lots 1-5	(5)
SECTION I	lots 6-31	(26)
SECTION II	lots 32-55	(24)
SECTION III	lots 56-80	(25)
SECTION IV	lots 81-104	(24)
SECTION V	lots 105-134	(30)
SECTION VI	lots 135-158	(24)
SECTION VII	lots 159-176	(18)

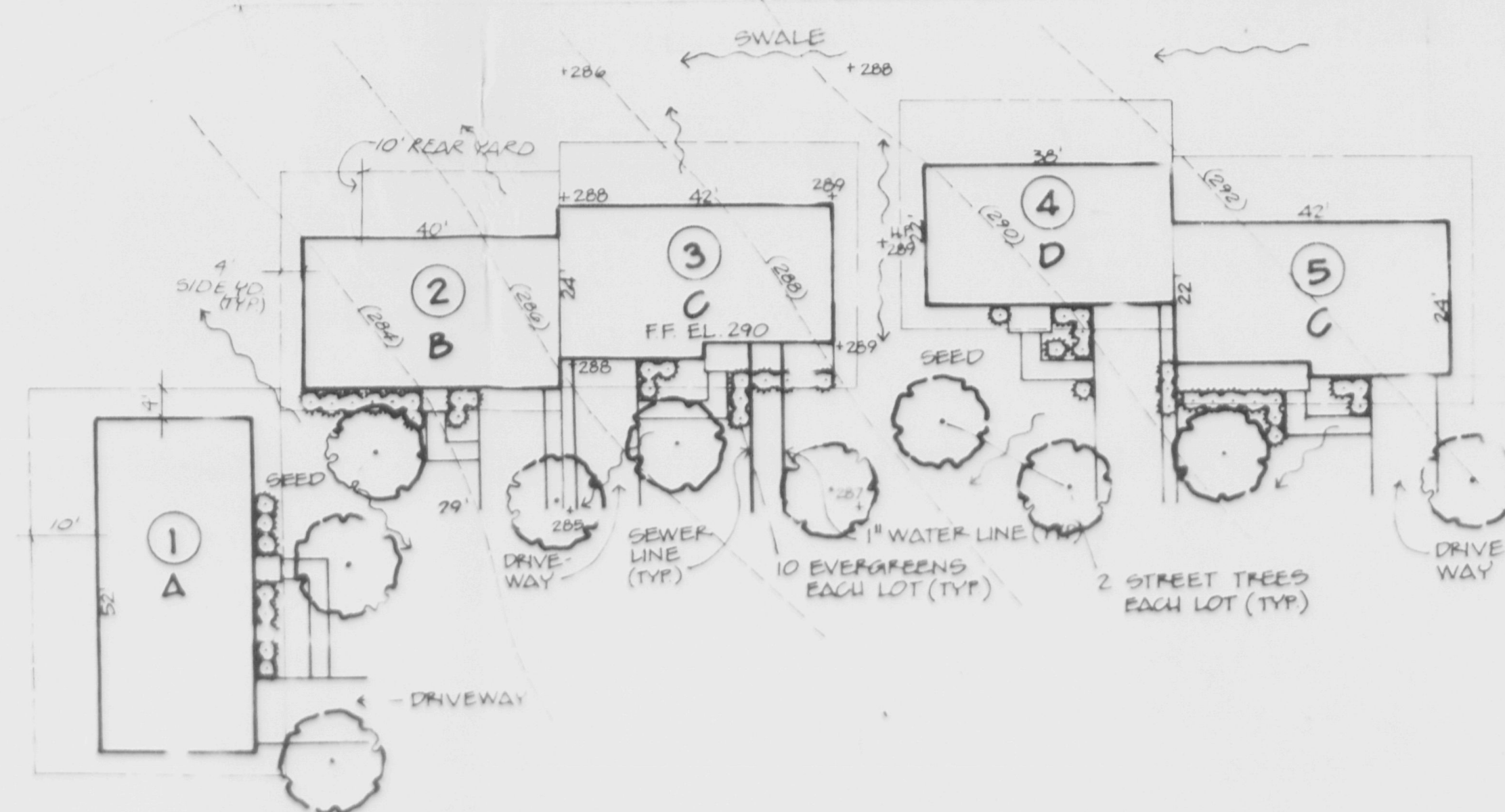
Scale: 1" = 30'

## Grading & Utilities Plan

## Commons of New Windsor

TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

APRIL 13, 1983

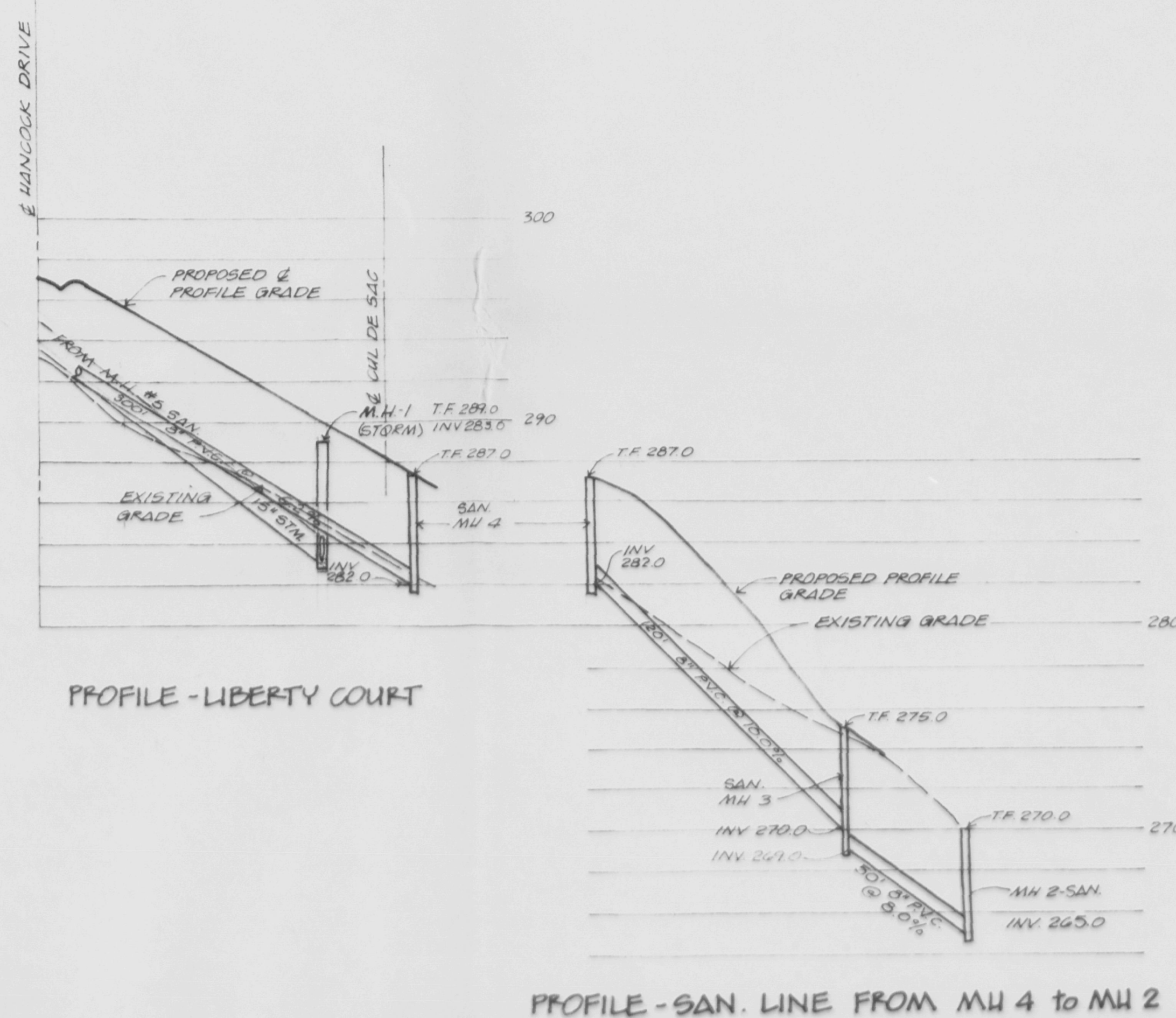
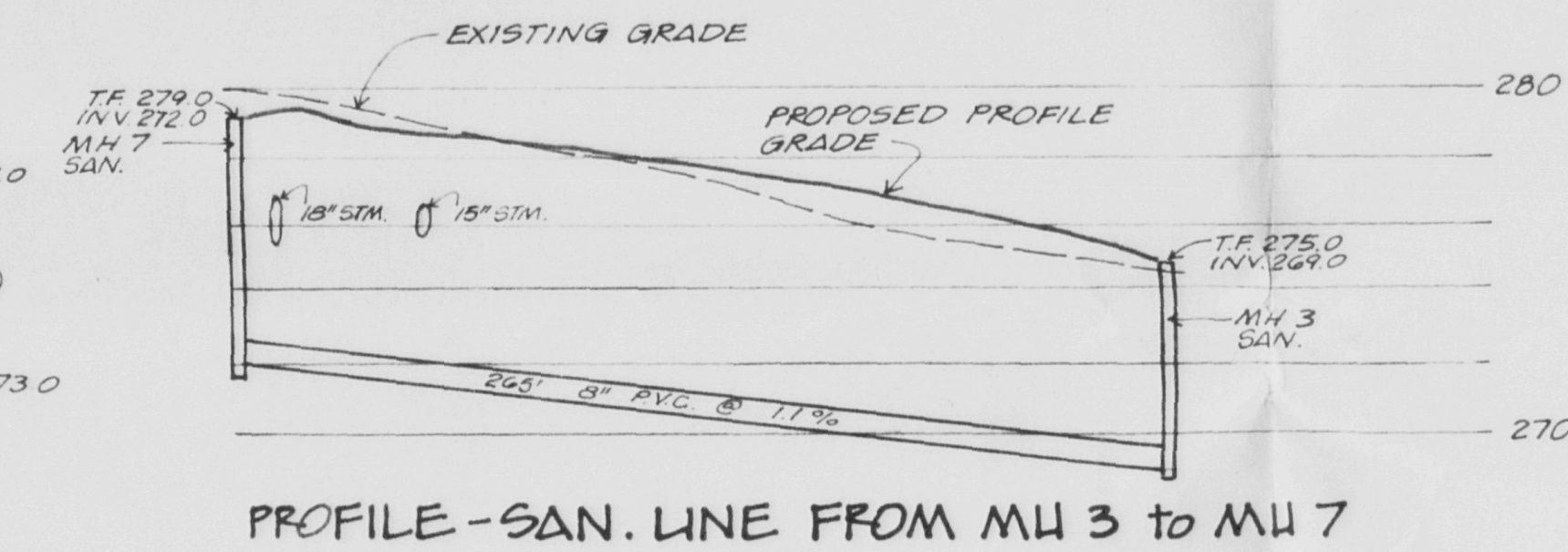


TYPICAL LOT & HOUSE LAYOUT  
SCALE: 1" = 20'

NOTE: EXISTING TOPOGRAPHIC INFORMATION WAS SUPPLIED BY OWNER & ALL PROPOSED GRADES WERE BASED UPON THIS INFORMATION & ARE SUBJECT TO FIELD CHANGES

LAND DESIGN ASSOCIATES  
landscape architects & land planners  
Huntington, N.Y.

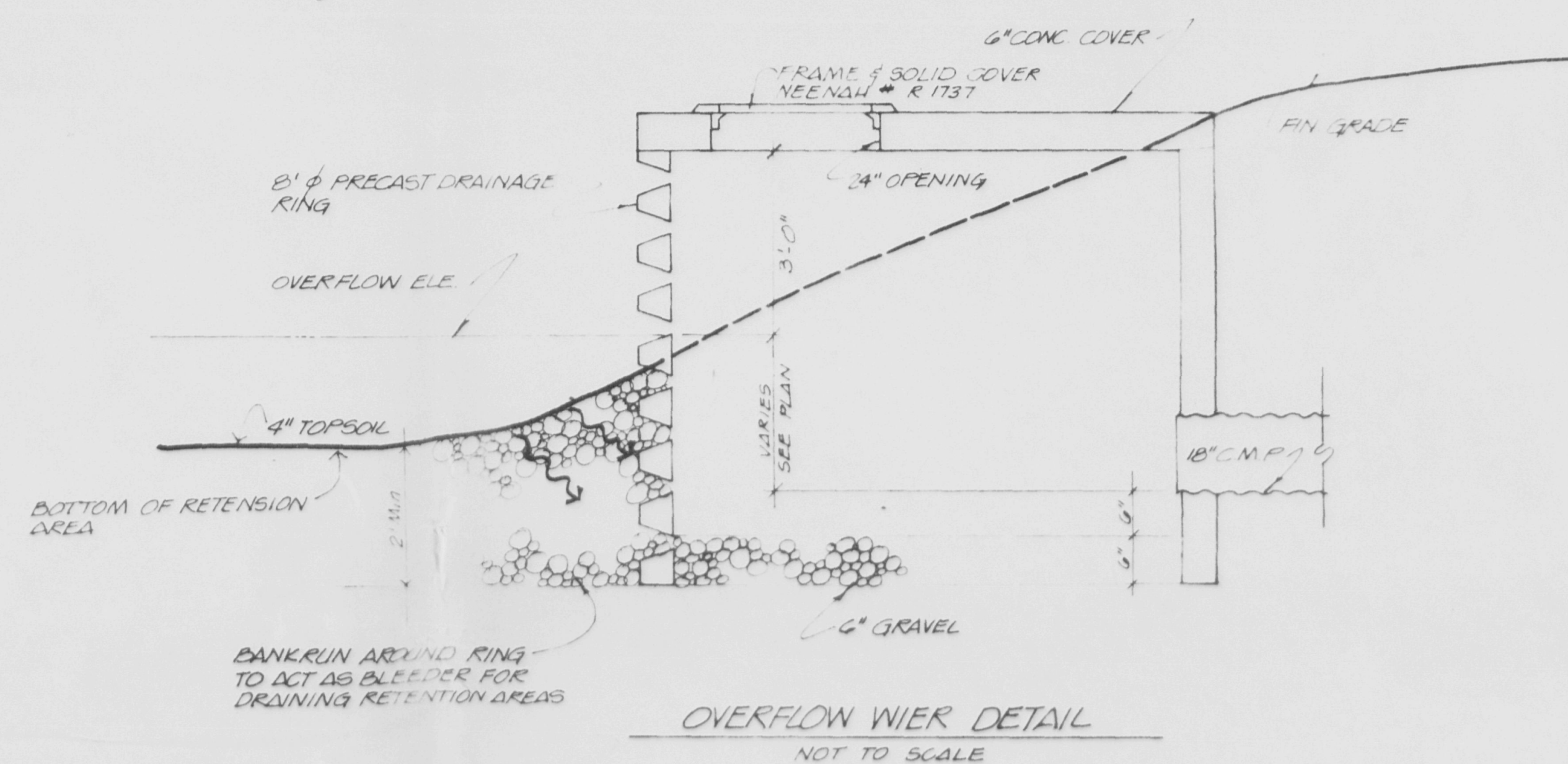
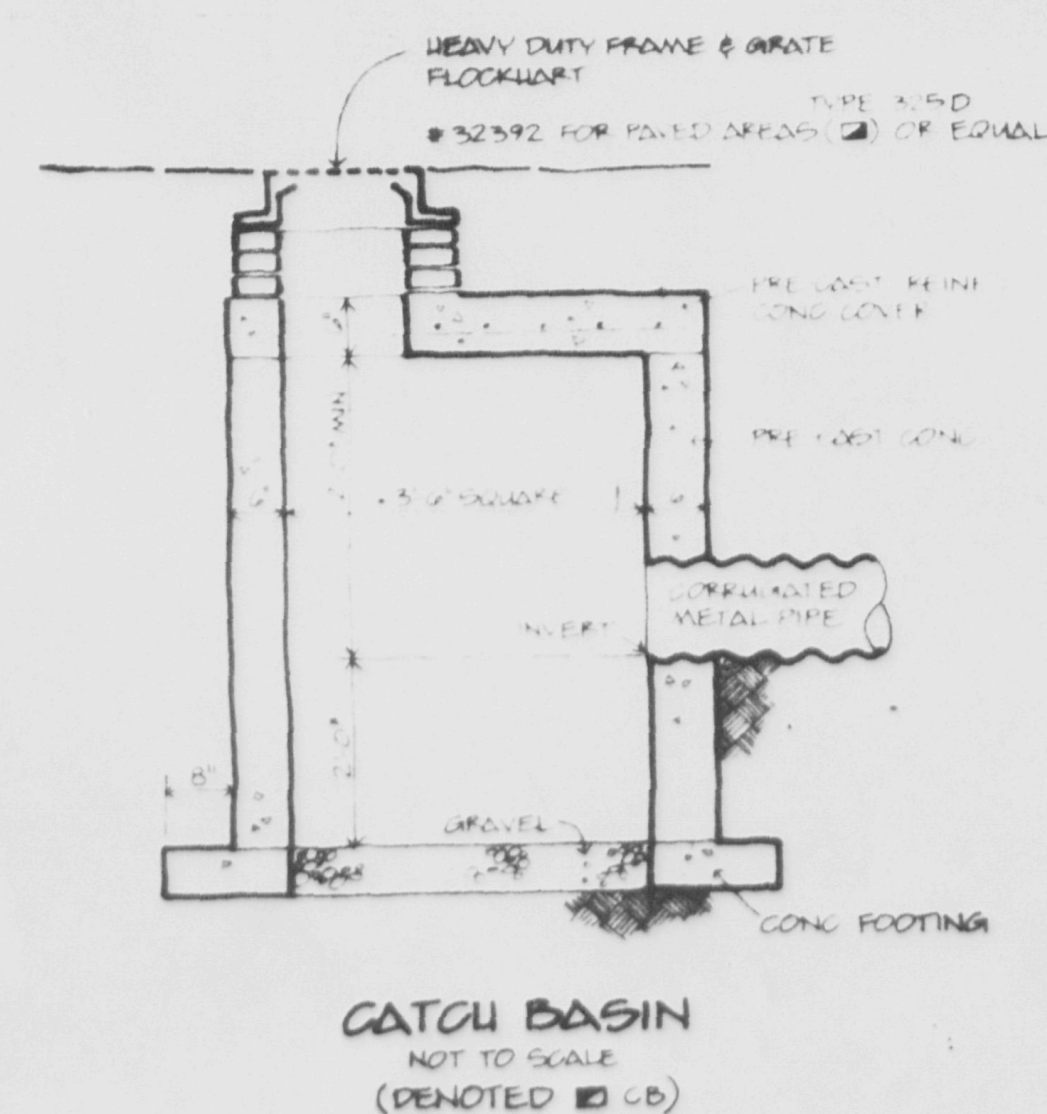
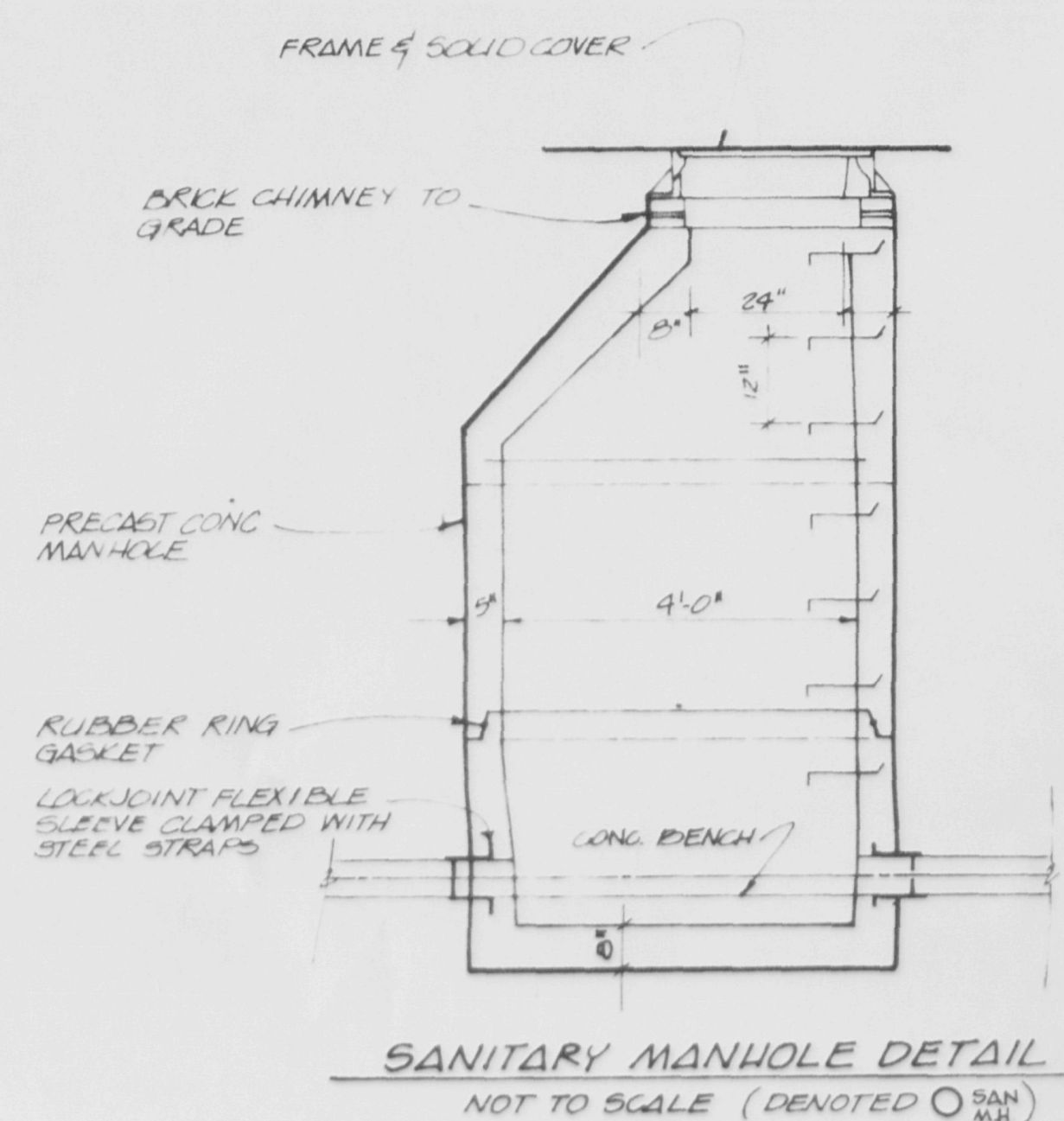
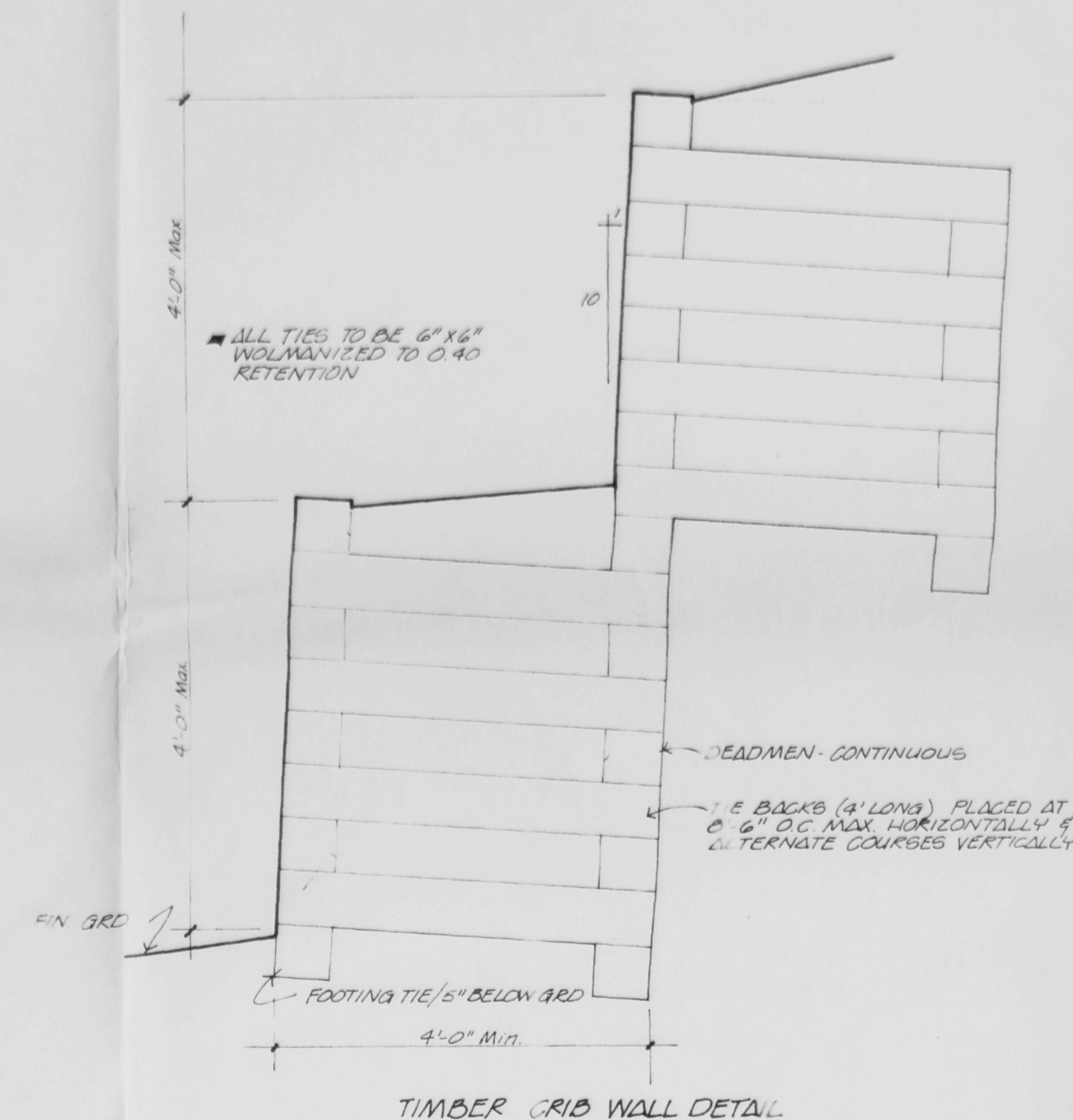
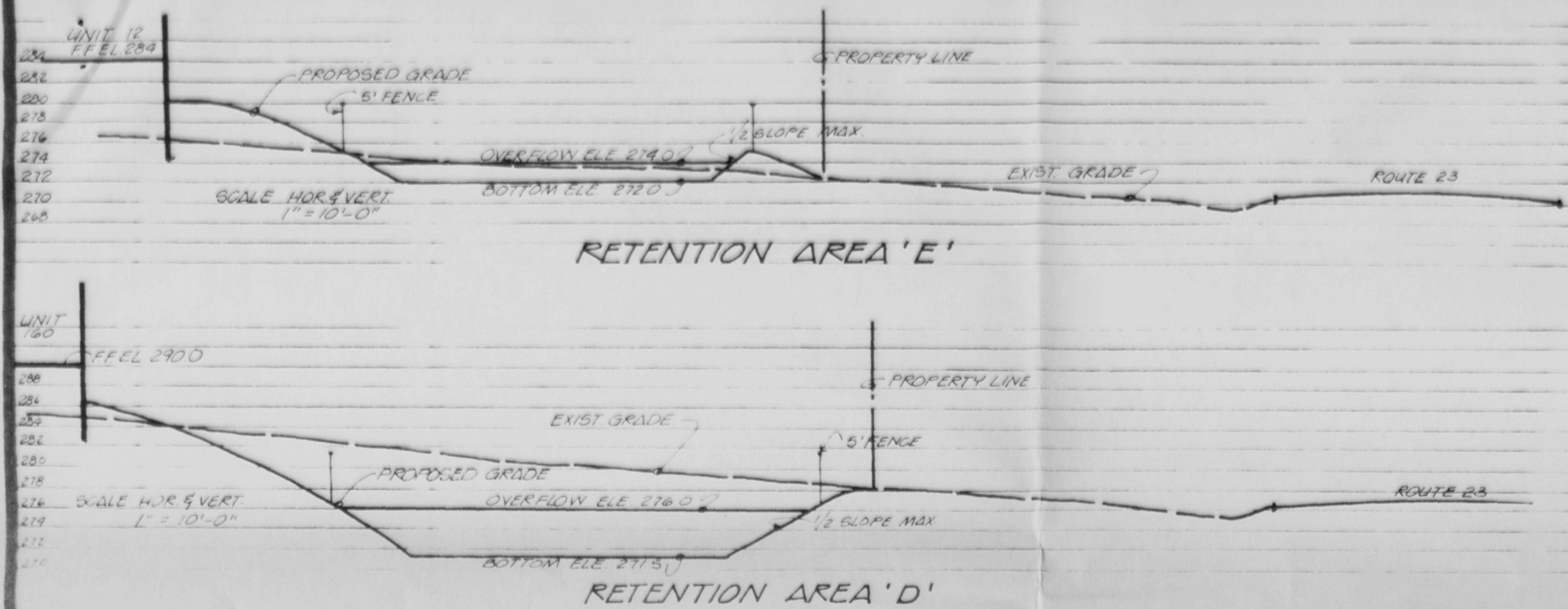




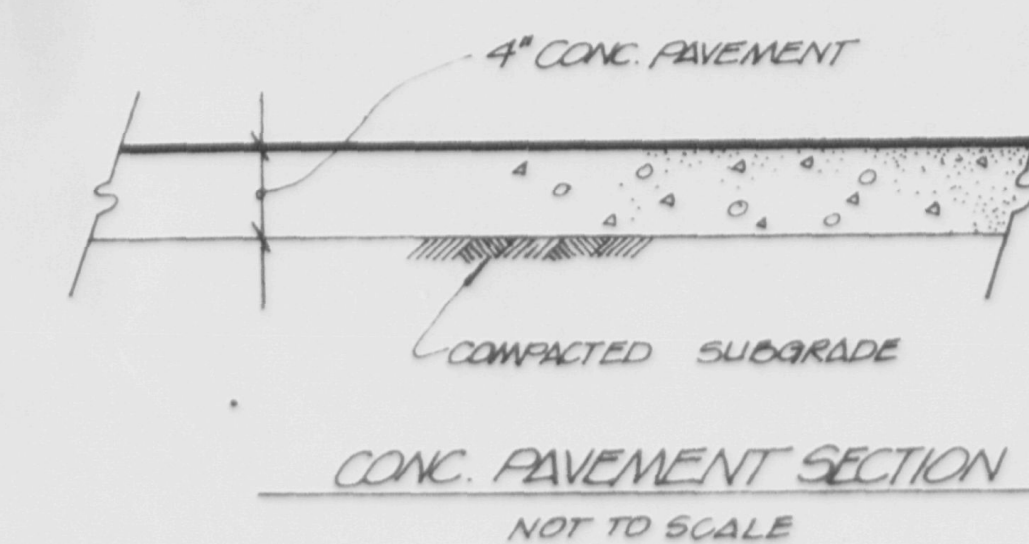
APRIL 13, 1983

SCALE: VERT.  $1'' = 5'-0''$   
HOR.  $1'' = 50'-0''$





NOTE:  
ALL ROADS TO BE IN CONFORMANCE WITH  
DETAILS & SPECIFICATIONS OF THE TOWN  
OF NEW WINDSOR



## Details

## Commons of New Windsor

TOWN of NEW WINDSOR, ORANGE COUNTY, NEW YORK

APRIL 13, 1983

**LAND DESIGN ASSOCIATES**  
landscape architects - land planners  
Huntington, N.Y.